

College
Lib.
PR
3334
B4
1826
v. 6

A

0
0
1
1
6
1
4
6
4
1



SOUTHERN REGIONAL LIBRARY FACILITY

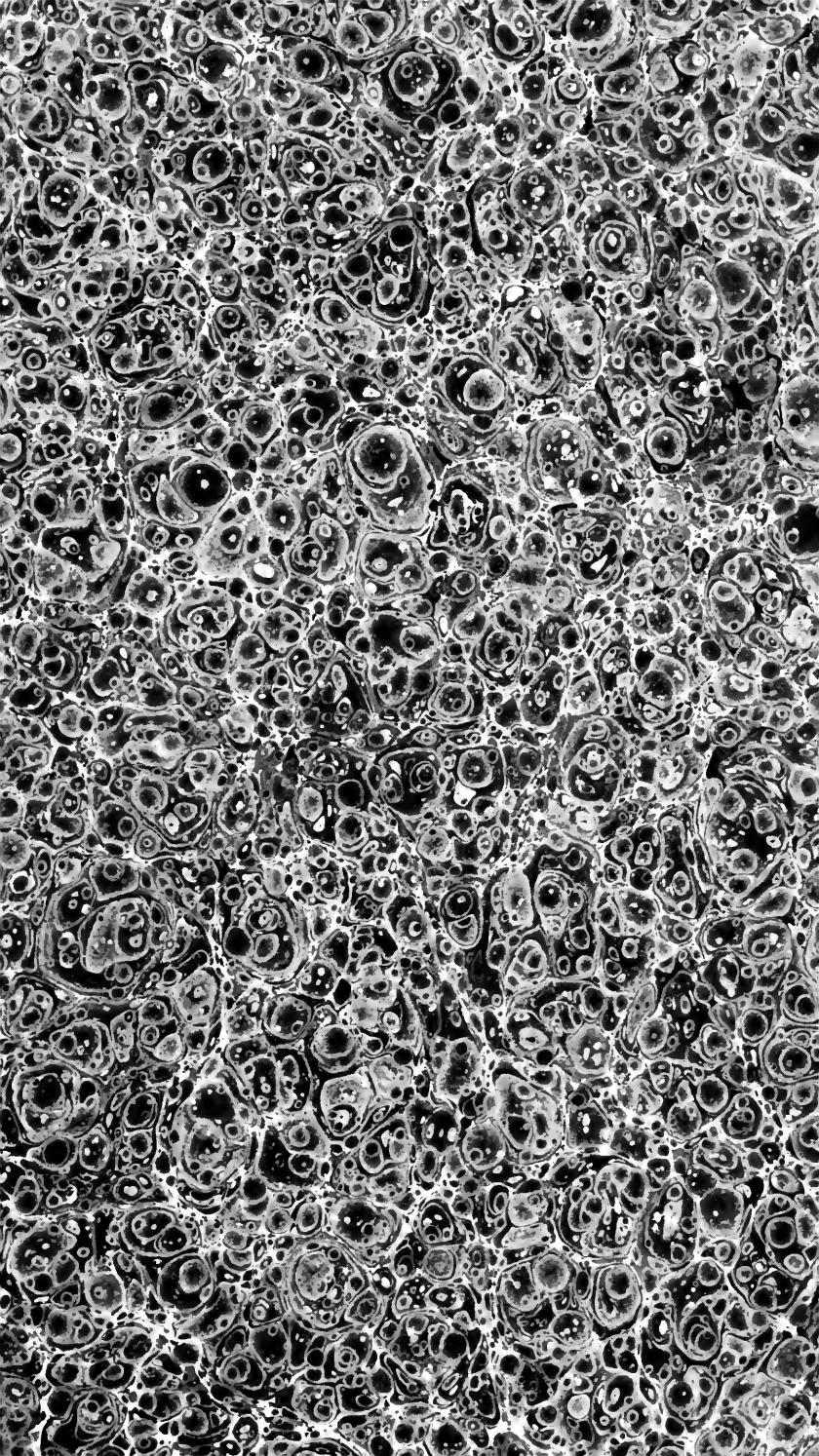


ifornia
onal
ity



THE LIBRARY
OF
THE UNIVERSITY
OF CALIFORNIA
LOS ANGELES

FROM THE LIBRARY OF
FRANK J. KLINGBERG





Digitized by the Internet Archive
in 2007 with funding from
Microsoft Corporation

THE
WORKS
OF
THE RIGHT HONOURABLE
EDMUND BURKE.

A NEW EDITION.

VOL. VI.

London:

PRINTED FOR C. AND J. RIVINGTON,

ST. PAUL'S CHURCH-YARD;
AND WATERLOO-PLACE, PALL-MALL.

1826.

Luke Hansard & Sons,
near Lincoln's-Inn Fields, London.

PR
3334
B4
1826
v. 6

CONTENTS.

VOL. VI.

<i>LETTER to a Member of the National Assembly</i>	- - - -	page 1
<i>Appeal from the New to the Old Whigs</i>	-	69
<i>Letter to a Peer of Ireland on the Penal Laws against Irish Catholics</i>	- - -	269
<i>Letter to Sir Hercules Langrishe, Bart. M. P. on the Subject of the Roman Catholics of Ireland, and the Propriety of admitting them to the Elective Franchise, consistently with the Principles of the Constitution, as established at the Revolution</i>	- - - -	297

1567208

1. The first part of the paper is devoted to the study of the properties of the function $f(x)$ defined by the equation

$$f(x) = \int_0^x \frac{1}{1+t^2} dt, \quad (1)$$

where x is a real number. It is shown that the function $f(x)$ is continuous and differentiable on the whole real axis.

2. In the second part of the paper, we consider the function $F(x)$ defined by the equation

$$F(x) = \int_0^x \frac{1}{1+t^2} dt, \quad (2)$$

where x is a real number. It is shown that the function $F(x)$ is continuous and differentiable on the whole real axis.

A LETTER
FROM
MR. BURKE,
TO
A MEMBER
OF
THE NATIONAL ASSEMBLY;
IN ANSWER
TO SOME OBJECTIONS TO HIS BOOK
ON
FRENCH AFFAIRS.
1791.



A LETTER,

&c. &c.

SIR,

I HAD the honour to receive your letter of the 17th of November last ; in which, with some exceptions, you are pleased to consider favourably the letter I have written on the affairs of France. I shall ever accept any mark of approbation attended with instruction with more pleasure than general and unqualified praises. The latter can serve only to flatter our vanity ; the former, whilst it encourages us to proceed, may help to improve us in our progress.

Some of the errors you point out to me in my printed letter are really such. One only I find to be material. It is corrected in the edition which I take the liberty of sending to you. As to the cavils which may be made on some part of my remarks, with regard to the *gradations* in your new constitution, you observe justly that they do not affect the substance of my objections. Whether there be a round more or less in the ladder of representation, by which your workmen ascend from their parochial tyranny to their federal anarchy, when the whole scale is false, appears to me of little or no importance.

I published my thoughts on that constitution, that my countrymen might be enabled to estimate the wisdom of the plans which were held out to their imitation. I conceived that the true character of those plans would be best collected from the committee appointed to prepare them. I thought that the scheme of their building would be better comprehended in the design of the architects than in the execution of the masons. It was not worth my reader's while to occupy himself with the alterations by which bungling practice corrects absurd theory. Such an investigation would be endless: because every day's past experience of impracticability has driven, and every day's future experience will drive, those men to new devices as exceptionable as the old; and which are no otherwise worthy of observation than as they give a daily proof of the delusion of their promises, and the falsehood of their professions. Had I followed all these changes, my letter would have been only a gazette of their wanderings; a journal of their march from error to error, through a dry dreary desert, unguided by the lights of heaven, or by the contrivance which wisdom has invented to supply their place.

I am unalterably persuaded, that the attempt to oppress, degrade, impoverish, confiscate and extinguish the original gentlemen, and landed property of a whole nation, cannot be justified under
any

any form it may assume. I am satisfied beyond a doubt, that the project of turning a great empire into a vestry, or into a collection of vestries, and of governing it in the spirit of a parochial administration, is senseless and absurd, in any mode, or with any qualifications. I can never be convinced, that the scheme of placing the highest powers of the state in churchwardens and constables, and other such officers, guided by the prudence of litigious attornies, and Jew brokers, and set in action by shameless women of the lowest condition, by keepers of hotels, taverns and brothels, by pert apprentices, by clerks, shop-boys, hair-dressers, fiddlers, and dancers on the stage, (who, in such a commonwealth as yours, will in future overbear, as already they have overborne, the sober incapacity of dull, uninstructed men, of useful but laborious occupations) can never be put into any shape, that must not be both disgraceful and destructive. The whole of this project, even if it were what it pretends to be, and was not, in reality, the dominion, through that disgraceful medium, of half a dozen, or perhaps fewer, intriguing politicians, is so mean, so low-minded, so stupid a contrivance, in point of wisdom, as well as so perfectly detestable for its wickedness, that I must always consider the correctives, which might make it in any degree practicable, to be so many new objections to it.

In

In that wretched state of things, some are afraid that the authors of your miseries may be led to precipitate their further designs, by the hints they may receive from the very arguments used to expose the absurdity of their system, to mark the incongruity of its parts, and its inconsistency with their own principles; and that your masters may be led to render their schemes more consistent, by rendering them more mischievous. Excuse the liberty which your indulgence authorizes me to take, when I observe to you, that such apprehensions as these would prevent all exertion of our faculties in this great cause of mankind.

A rash recourse to *force* is not to be justified in a state of real weakness. Such attempts bring on disgrace; and, in their failure, discountenance and discourage more rational endeavours. But *reason* is to be hazarded, though it may be perverted by craft and sophistry; for reason can suffer no loss nor shame, nor can it impede any useful plan of future policy. In the unavoidable uncertainty, as to the effect, which attends on every measure of human prudence, nothing seems a surer antidote to the poison of fraud than its detection. It is true the fraud may be swallowed after this discovery; and perhaps even swallowed the more greedily for being a detected fraud. Men sometimes make a point of honour not to be disabused; and they had rather fall into an hundred errors than

than confess one. But after all,—when neither our principles nor our dispositions, nor, perhaps, our talents, enable us to encounter delusion with delusion, we must use our best reason to those that ought to be reasonable creatures, and to take our chance for the event. We cannot act on these anomalies in the minds of men. I do not conceive that the persons who have contrived these things can be made much the better or the worse for any thing which can be said to them. *They* are reason proof. Here and there, some men, who were at first carried away by wild, good intentions may be led, when their first fervours are abated, to join in a sober survey of the schemes into which they had been deluded. To those only (and I am sorry to say they are not likely to make a large description) we apply with any hope. I may speak it upon an assurance almost approaching to absolute knowledge, that nothing has been done that has not been contrived from the beginning, even before the states had assembled. *Nulla nova mihi res inopinave surgit.* They are the same men and the same designs that they were from the first, though varied in their appearance. It was the very same animal that at first crawled about in the shape of a caterpillar, that you now see rise into the air, and expand his wings to the sun.

Proceeding, therefore, as we are obliged to proceed, that is upon an hypothesis that we address
rational

rational men, can false political principles be more effectually exposed, than by demonstrating that they lead to consequences directly inconsistent with and subversive of the arrangements grounded upon them? If this kind of demonstration is not permitted, the process of reasoning called *deductio ad absurdum*, which even the severity of geometry does not reject, could not be employed at all in legislative discussions. One of our strongest weapons against folly acting with authority would be lost.

You know, Sir, that even the virtuous efforts of your patriots to prevent the ruin of your country have had this very turn given to them. It has been said here, and in France too, that the reigning usurpers would not have carried their tyranny to such destructive lengths, if they had not been stimulated and provoked to it by the acrimony of your opposition. There is a dilemma to which every opposition to successful iniquity must, in the nature of things, be liable. If you lie still, you are considered as an accomplice in the measures in which you silently acquiesce. If you resist, you are accused of provoking irritable power to new excesses. The conduct of a losing party never appears right: at least it never can possess the only infallible criterion of wisdom to vulgar judgments—success.

The indulgence of a sort of undefined hope, an
obscure

obscure confidence, that some lurking remains of virtue, some degree of shame, might exist in the breasts of the oppressors of France, has been among the causes which have helped to bring on the common ruin of king and people. There is no safety for honest men, but by believing all possible evil of evil men, and by acting with promptitude, decision and steadiness on that belief. I well remember, at every epocha of this wonderful history, in every scene of this tragick business, that when your sophistick usurpers were laying down mischievous principles, and even applying them in direct resolutions, it was the fashion to say, that they never intended to execute those declarations in their rigour. This made men careless in their opposition, and remiss in early precaution. By holding out this fallacious hope, the impostors deluded sometimes one description of men, and sometimes another, so that no means of resistance were provided against them, when they came to execute in cruelty what they had planned in fraud.

There are cases in which a man would be ashamed not to have been imposed on. There is a confidence necessary to human intercourse, and without which men are often more injured by their own suspicions than they would be by the perfidy of others. But when men whom we *know* to be wicked impose upon us, we are something worse than dupes. When we know them, their
fair

fair pretences become new motives for distrust. There is one case indeed, in which it would be madness not to give the fullest credit to the most deceitful of men, that is, when they make declarations of hostility against us.

I find that some persons entertain other hopes, which I confess appear more specious than those by which at first so many were deluded and disarmed. They flatter themselves that the extreme misery brought upon the people by their folly will at last open the eyes of the multitude, if not of their leaders. Much the contrary, I fear. As to the leaders in this system of imposture,—you know, that cheats and deceivers never can repent. The fraudulent have no resource but in fraud. They have no other goods in their magazine. They have no virtue or wisdom in their minds, to which, in a disappointment concerning the profitable effects of fraud and cunning, they can retreat. The wearing out of an old serves only to put them upon the invention of a new delusion. Unluckily too, the credulity of dupes is as inexhaustible as the invention of knaves. They never give people possession; but they always keep them in hope. Your state doctors do not so much as pretend that any good whatsoever has hitherto been derived from their operations, or that the publick has prospered in any one instance, under their management. The nation is sick, very sick,
by

by their medicines. But the *charlatan* tells them that what is passed cannot be helped ;—they have taken the draught, and they must wait its operation with patience ;—that the first effects indeed are unpleasant, but that the very sickness is a proof that the dose is of no sluggish operation ;—that sickness is inevitable in all constitutional revolutions ;—that the body must pass through pain to ease ;—that the prescriber is not an empirick who proceeds by vulgar experience, but one who grounds his practice* on the sure rules of art, which cannot possibly fail. You have read, Sir, the last manifesto, or mountebank's bill, of the National Assembly. You see their presumption in their promises is not lessened by all their failures in the performance. Compare this last address of the Assembly and the present state of your affairs with the early engagements of that body ; engagements which, not content with declaring, they solemnly deposed upon oath ; swearing lustily, that if they were supported they would make their country glorious and happy ; and then judge whether those who can write such things, or those who can bear to read them, are of *themselves* to be brought to any reasonable course of thought or action.

* It is said in the last quackish address of the National Assembly to the people of France, that they have not formed their arrangements upon vulgar practice ; but on a theory which cannot fail ; or something to that effect.

As to the people at large, when once these miserable sheep have broken the fold, and have got themselves loose, not from the restraint, but from the protection of all the principles of natural authority and legitimate subordination, they become the natural prey of impostors. When they have once tasted of the flattery of knaves, they can no longer endure reason, which appears to them only in the form of censure and reproach. Great distress has never hitherto taught, and whilst the world lasts it never will teach, wise lessons to any part of mankind. Men are as much blinded by the extremes of misery as by the extremes of prosperity. Desperate situations produce desperate councils and desperate measures. The people of France, almost generally, have been taught to look for other resources than those which can be derived from order, frugality, and industry. They are generally armed; and they are made to expect much from the use of arms. *Nihil non arrogant armis*. Besides this, the retrograde order of society has something flattering to the dispositions of mankind. The life of adventurers, gamesters, gipsies, beggars, and robbers is not unpleasant. It requires restraint to keep men from falling into that habit. The shifting tides of fear and hope, the flight and pursuit, the peril and escape, the alternate famine and feasts of the savage and the thief, after a time, render all course of slow, steady, progressive,

progressive, unvaried occupation, and the prospect only of a limited mediocrity at the end of long labour, to the last degree tame, languid, and insipid. Those who have been once intoxicated with power, and have derived any kind of emolument from it, even though but for one year, never can willingly abandon it. They may be distressed in the midst of all their power; but they will never look to any thing but power for their relief. When did distress ever oblige a prince to abdicate his authority? And what effect will it have upon those who are made to believe themselves a people of princes?

The more active and stirring part of the lower orders having got government, and the distribution of plunder into their hands, they will use its resources in each municipality to form a body of adherents. These rulers, and their adherents will be strong enough to overpower the discontents of those who have not been able to assert their share of the spoil. The unfortunate adventurers in the cheating lottery of plunder will proably be the least sagacious, or the most inactive and irresolute of the gang. If, on disappointment, they should dare to stir, they will soon be suppressed as rebels and mutineers by their brother rebels. Scantily fed for a while with the offal of plunder, they will drop off by degrees; they will be driven out of sight and out of thought; and they will be left

left to perish obscurely, like rats, in holes and corners.

From the forced repentance of invalid mutineers and disbanded thieves, you can hope for no resource. Government itself, which ought to constrain the more bold and dextrous of these robbers, is their accomplice. Its arms, its treasures, its all are in their hands. Judicature, which above all things should awe them, is their creature and their instrument. Nothing seems to me to render your internal situation more desperate than this one circumstance of the state of your judicature. Many days are not passed since we have seen a set of men brought forth by your rulers for a most critical function. Your rulers brought forth a set of men, steaming from the sweat and drudgery, and all black with the smoke and soot of the forge of confiscation and robbery—*ardentis massæ fuligine lippos*, a set of men brought forth from the trade of hammering arms of proof, offensive and defensive, in aid of the enterprises, and for the subsequent protection of housebreakers, murderers, traitors, and malefactors; men, who had their minds seasoned with theories perfectly conformable to their practice, and who had always laughed at possession and prescription, and defied all the fundamental maxims of jurisprudence. To the horror and stupefaction of all the honest part of this nation, and indeed of all nations
who

who are spectators, we have seen, on the credit of those very practices and principles, and to carry them further into effect, these very men placed on the sacred seat of justice in the capital city of your late kingdom. We see that in future you are to be destroyed with more form and regularity. This is not peace; it is only the introduction of a sort of discipline in their hostility. Their tyranny is complete in their justice; and their lanterne is not half so dreadful as their court.

One would think that out of common decency they would have given you men who had not been in the habit of trampling upon law and justice in the Assembly, neutral men, or men apparently neutral, for judges, who are to dispose of your lives and fortunes.

Cromwell, when he attempted to legalize his power, and to settle his conquered country in a state of order, did not look for dispensers of justice in the instruments of his usurpation. Quite the contrary. He sought out, with great solicitude and selection, and even from the party most opposite to his designs, men of weight and decorum of character; men unstained with the violence of the times, and with hands not fouled with confiscation and sacrilege: for he chose an *Hale* for his chief justice, though he absolutely refused to take his civick oaths, or to make any acknowledgment whatsoever of the legality of his government.

Cromwell

Cromwell told this great lawyer, that since he did not approve his title, all he required of him was, to administer, in a manner agreeable to his pure sentiments and unspotted character, that justice without which human society cannot subsist : that it was not his particular government, but civil order itself, which, as a judge, he wished him to support. Cromwell knew how to separate the institutions expedient to his usurpation from the administration of the publick justice of his country. For Cromwell was a man in whom ambition had not wholly suppressed, but only suspended the sentiments of religion, and the love (as far as it could consist with his designs) of fair and honourable reputation. Accordingly, we are indebted to this act of his for the preservation of our laws, which some senseless assertors of the rights of men were then on the point of entirely erasing, as relicks of feudality and barbarism. Besides, he gave in the appointment of that man, to that age, and to all posterity the most brilliant example of sincere and fervent piety, exact justice, and profound jurisprudence*. But these are not the things in which your philosophick usurpers choose to follow Cromwell.

One would think, that after an honest and necessary revolution (if they had a mind that theirs should pass for such) your masters would

* See Burnet's Life of Hale.

have imitated the virtuous policy of those who have been at the head of revolutions of that glorious character. Burnet tells us, that nothing tended to reconcile the English nation to the government of King William so much as the care he took to fill the vacant bishopricks with men who had attracted the public esteem by their learning, eloquence, and piety, and, above all, by their known moderation in the state. With you, in your purifying revolution, whom have you chosen to regulate the church? Mr. Mirabeau is a fine speaker—and a fine writer,—and a fine—a very fine man;—but really nothing gave more surprise to every body here, than to find him the supreme head of your ecclesiastical affairs. The rest is of course. Your Assembly addresses a manifesto to France, in which they tell the people, with an insulting irony, that they have brought the church to its primitive condition. In one respect their declaration is undoubtedly true; for they have brought it to a state of poverty and persecution. What can be hoped for after this? Have not men, (if they deserve the name) under this new hope and head of the church, been made bishops for no other merit than having acted as instruments of atheists; for no other merit than having thrown the children's bread to dogs; and in order to gorge the whole gang of usurers, pedlars, and itinerant Jew-discounters at the corners

of streets, starved the poor of their Christian flocks, and their own brother pastors? Have not such men been made bishops to administer in temples, in which (if the patriotick donations have not already stripped them of their vessels) the churchwardens ought to take security for the altar plate, and not so much as to trust the chalice in their sacrilegious hands, so long as Jews have assignats on ecclesiastick plunder, to exchange for the silver stolen from churches?

I am told, that the very sons of such Jew-jobbers have been made bishops; persons not to be suspected of any sort of *Christian* superstition, fit colleagues to the holy prelate of Autun, and bred at the feet of that Gamaliel. We know who it was that drove the money-changers out of the temple. We see too who it is that brings them in again. We have in London very respectable persons of the Jewish nation, whom we will keep; but we have of the same tribe others of a very different description,—housebreakers, and receivers of stolen goods, and forgers of paper currency, more than we can conveniently hang. These we can spare to France, to fill the new episcopal thrones: men well versed in swearing; and who will scruple no oath which the fertile genius of any of your reformers can devise.

In matters so ridiculous, it is hard to be grave. On a view of their consequences, it is almost
inhuman

inhuman to treat them lightly. To what a state of savage, stupid, servile insensibility must your people be reduced, who can endure such proceedings in their church, their state, and their judicature, even for a moment! But the deluded people of France are like other madmen, who, to a miracle, bear hunger, and thirst, and cold, and confinement, and the chains and lash of their keeper, whilst all the while they support themselves by the imagination that they are generals of armies, prophets, kings, and emperours. As to a change of mind in these men, who consider infamy as honour, degradation as preferment, bondage to low tyrants as liberty, and the practical scorn and contumely of their upstart masters as marks of respect and homage, I look upon it as absolutely impracticable. These madmen, to be cured, must first, like other madmen, be subdued. The sound part of the community, which I believe to be large, but by no means the largest part, has been taken by surprise, and is disjointed, terrified, and disarmed. That sound part of the community must first be put into a better condition, before it can do any thing in the way of deliberation or persuasion. This must be an act of power, as well as of wisdom; of power, in the hands of firm, determined patriots, who can distinguish the misled from traitors, who will regulate the state (if such should be their fortune) with a discriminating,

manly, and provident mercy ; men who are purged of the surfeit and indigestion of systems, if ever they have been admitted into the habit of their minds ; men who will lay the foundation of a real reform, in effacing every vestige of that philosophy which pretends to have made discoveries in the *terra australis* of morality ; men who will fix the state upon these bases of morals and politicks, which are our old, and immemorial, and, I hope, will be our eternal possession.

This power, to such men, must come from *without*. It may be given to you in pity ; for surely no nation ever called so pathetically on the compassion of all its neighbours. It may be given by those neighbours on motives of safety to themselves. Never shall I think any country in Europe to be secure, whilst there is established, in the very centre of it, a state (if so it may be called) founded on principles of anarchy, and which is, in reality, a college of armed fanatics, for the propagation of the principles of assassination, robbery, rebellion, fraud, faction, oppression, and impiety. *Mahomet*, hid, as for a time he was, in the bottom of the sands of Arabia, had his spirit and character been discovered, would have been an object of precaution to provident minds. What if he had erected his fanatick standard for the destruction of the Christian religion in *luce Asiæ*, in the midst of the then noon-day splendour of the then civilized

civilized world? The princes of Europe, in the beginning of this century, did well not to suffer the monarchy of France to swallow up the others. They ought not now, in my opinion, to suffer all the monarchies and commonwealths to be swallowed up in the gulph of this polluted anarchy. They may be tolerably safe at present, because the comparative power of France for the present is little. But times and occasions make dangers. Intestine troubles may rise in other countries. There is a power always on the watch, qualified and disposed to profit of every conjuncture, to establish its own principles and modes of mischief, wherever it can hope for success. What mercy would these usurpers have on other sovereigns, and on other nations, when they treat their own king with such unparalleled indignities, and so cruelly oppress their own countrymen?

The king of Prussia, in concurrence with us, nobly interfered to save Holland from confusion. The same power, joined with the rescued Holland and with Great Britain, has put the emperor in the possession of the Netherlands; and secured, under that prince, from all arbitrary innovation, the ancient, hereditary constitution of those provinces. The chamber of Wetzlar has restored the bishop of Liège, unjustly dispossessed by the rebellion of his subjects. The king of Prussia was bound by no treaty, nor alliance of blood, nor had

any particular reasons for thinking the emperor's government would be more mischievous or more oppressive to human nature than that of the Turk: yet on mere motives of policy that prince has interposed with the threat of all his force, to snatch even the Turk from the pounces of the imperial eagle. If this is done in favour of a barbarous nation, with a barbarous neglect of police, fatal to the human race, in favour of a nation, by principle in eternal enmity with the christian name; a nation which will not so much as give the salutation of peace (Salam) to any of us; nor make any pact with any christian nation beyond a truce;—if this be done in favour of the Turk, shall it be thought either impolitick, or unjust, or uncharitable, to employ the same power to rescue from captivity a virtuous monarch (by the courtesy of Europe considered as Most Christian) who, after an intermission of one hundred and seventy-five years, had called together the states of his kingdom to reform abuses, to establish a free government, and to strengthen his throne; a monarch, who at the very outset, without force, even without solicitation, had given to his people such a Magna Charta of privileges as never was given by any king to any subjects?—Is it to be tamely borne by kings who love their subjects, or by subjects who love their kings, that this monarch, in the midst of these gracious acts, was insolently and cruelly

cruelly torn from his palace by a gang of traitors and assassins, and kept in close prison to this very hour, whilst his royal name and sacred character were used for the total ruin of those whom the laws had appointed him to protect?

The only offence of this unhappy monarch towards his people was his attempt, under a monarchy, to give them a free constitution. For this, by an example hitherto unheard-of in the world, he has been deposed. It might well disgrace sovereigns to take part with a deposed tyrant. It would suppose in them a vicious sympathy. But not to make a common cause with a just prince, dethroned by traitors and rebels, who proscribe, plunder, confiscate, and in every way cruelly oppress their fellow-citizens, in my opinion is to forget what is due to the honour, and to the rights of all virtuous and legal government.

I think the king of France to be as much an object both of policy and compassion as the Grand Signior or his states. I do not conceive that the total annihilation of France (if that could be effected) is a desirable thing to Europe; or even to this its rival nation. Provident patriots did not think it good for Rome that even Carthage should be quite destroyed; and he was a wise Greek, wise for the general Grecian interests, as well as a brave Lacedemonian enemy, and generous conquerour, who did not wish, by the

destruction of Athens, to pluck out the other eye of Greece.

However, Sir, what I have here said of the interference of foreign princes is only the opinion of a private individual; who is neither the representative of any state, nor the organ of any party; but who thinks himself bound to express his own sentiments with freedom and energy in a crisis of such importance to the whole human race.

I am not apprehensive that in speaking freely on the subject of the king and queen of France, I shall accelerate (as you fear) the execution of traiterous designs against them. You are of opinion, Sir, that the usurpers may, and that they will, gladly lay hold of any pretext to throw off the very name of a king:—assuredly I do not wish ill to your king; but better for him not to live (he does not reign) than to live the passive instrument of tyranny and usurpation.

I certainly meant to shew, to the best of my power, that the existence of such an executive officer, in such a system of republick as theirs, is absurd in the highest degree. But in demonstrating this—to *them*, at least, I can have made no discovery. They only held out the royal name to catch those Frenchmen to whom the name of king is still venerable. They calculate the duration of that sentiment; and when they find it nearly expiring, they will not trouble themselves
with

with excuses for extinguishing the name, as they have the thing. They used it as a sort of navel-string to nourish their unnatural offspring from the bowels of royalty itself. Now that the monster can purvey for its own subsistence, it will only carry the mark about it, as a token of its having torn the womb it came from. Tyrants seldom want pretexts. Fraud is the ready minister of injustice; and whilst the currency of false pretence and sophistick reasoning was expedient to their designs, they were under no necessity of drawing upon me to furnish them with that coin. But pretexts and sophisms have had their day, and have done their work. The usurpation no longer seeks plausibility. It trusts to power.

Nothing that I can say, or that you can say, will hasten them, by a single hour, in the execution of a design which they have long since entertained. In spite of their solemn declarations, their soothing addresses, and the multiplied oaths which they have taken and forced others to take, they will assassinate the king when his name will no longer be necessary to their designs; but not a moment sooner. They will probably first assassinate the queen, whenever the renewed menace of such an assassination loses its effect upon the anxious mind of an affectionate husband. At present, the advantage which they derive from the daily threats against her life is her only security
for

for preserving it. They keep their sovereign alive for the purpose of exhibiting him, like some wild beast at a fair; as if they had a Bajazet in a cage. They choose to make monarchy contemptible by exposing it to derision in the person of the most benevolent of their kings.

In my opinion their insolence appears more odious even than their crimes. The horrors of the 5th and 6th of October were less detestable than the festival of the 14th of July. There are situations (God forbid I should think that of the 5th and 6th of October one of them) in which the best men may be confounded with the worst, and in the darkness and confusion, in the press and medley of such extremities, it may not be so easy to discriminate the one from the other. The necessities created, even by ill designs, have their excuse. They may be forgotten by others, when the guilty themselves do not choose to cherish their recollection, and by ruminating their offences, nourish themselves through the example of their past, to the perpetration of future crimes. It is in the relaxation of security, it is in the expansion of prosperity, it is in the hour of dilatation of the heart, and of its softening into festivity and pleasure, that the real character of men is discerned. If there is any good in them, it appears then or never. Even wolves and tygers, when gorged with their prey, are safe and gentle.

It

It is at such times that noble minds give all the reins to their good nature. They indulge their genius even to intemperance, in kindness to the afflicted, in generosity to the conquered ; forbearing insults, forgiving injuries, overpaying benefits. Full of dignity themselves, they respect dignity in all, but they feel it sacred in the unhappy. But it is then, and basking in the sunshine of unmerited fortune, that low, sordid, ungenerous, and reptile souls swell with their hoarded poisons ; it is then that they display their odious splendour, and shine out in full lustre of their native villainy and baseness. It is in that season that no man of sense or honour can be mistaken for one of them. It was in such a season, for them of political ease and security, though their people were but just emerged from actual famine, and were ready to be plunged into the gulph of penury and beggary, that your philosophick lords chose, with an ostentatious pomp and luxury, to feast an incredible number of idle and thoughtless people, collected, with art and pains, from all quarters of the world. They constructed a vast amphitheatre in which they raised a species of pillory.* On this pillory they set their lawful king and queen, with an insulting figure over their heads. There they exposed these objects of pity and respect to all good

* The pillory (carcan) in England is generally made very high, like that raised for exposing the king of France.

minds to the derision of an unthinking and unprincipled multitude, degenerated even from the versatile tenderness which marks the irregular and capricious feelings of the populace. That their cruel insult might have nothing wanting to complete it, they chose the anniversary of that day in which they exposed the life of their prince to the most imminent dangers, and the vilest indignities, just following the instant when the assassins, whom they had hired without owning, first openly took up arms against their king, corrupted his guards, surprised his castle, butchered some of the poor invalids of his garrison, murdered his governour, and, like wild beasts, tore to pieces the chief magistrate of his capital city, on account of his fidelity to his service.

Till the justice of the world is awakened, such as these will go on, without admonition, and without provocation, to every extremity. Those who have made the exhibition of the 14th of July are capable of every evil. They do not commit crimes for their designs; but they form designs that they may commit crimes. It is not their necessity, but their nature; that impels them. They are modern philosophers; which when you say of them you express every thing that is ignoble, savage, and hard-hearted.

Besides the sure tokens which are given by the spirit of their particular arrangements, there are

some

some characteristick lineaments in the general policy of your tumultuous despotism, which, in my opinion, indicate, beyond a doubt, that no revolution whatsoever *in their disposition* is to be expected. I mean their scheme of educating the rising generation, the principles which they intend to instil, and the sympathies which they wish to form in the mind at the season in which it is the most susceptible. Instead of forming their young minds to that docility, to that modesty, which are the grace and charm of youth, to an admiration of famous examples, and to an averseness to any thing which approaches to pride, petulance, and self-conceit, (distempers to which that time of life is of itself sufficiently liable) they artificially foment these evil dispositions, and even form them into springs of action. Nothing ought to be more weighed than the nature of books recommended by publick authority. So recommended, they soon form the character of the age. Uncertain indeed is the efficacy, limited indeed is the extent, of a virtuous institution. But if education takes in *vice* as any part of its system, there is no doubt but that it will operate with abundant energy, and to an extent indefinite. The magistrate, who in favour of freedom thinks himself obliged to suffer all sorts of publications, is under a stricter duty than any other well to consider what sort of writers he shall authorize ; and shall recommend
by

by the strongest of all sanctions, that is, by public honours and rewards. He ought to be cautious how he recommends authors of mixed or ambiguous morality. He ought to be fearful of putting into the hands of youth writers indulgent to the peculiarities of their own complexion, lest they should teach the humours of the professor, rather than the principles of the science. He ought, above all, to be cautious in recommending any writer who has carried marks of a deranged understanding; for where there is no sound reason there can be no real virtue; and madness is ever vicious and malignant.

The Assembly proceeds on maxims the very reverse of these. The Assembly recommends to its youth a study of the bold experimenters in morality. Every body knows that there is a great dispute amongst their leaders, which of them is the best resemblance of Rousseau. In truth, they all resemble him. His blood they transfuse into their minds and into their manners. Him they study; him they meditate; him they turn over in all the time they can spare from the laborious mischief of the day, or the debauches of the night. Rousseau is their canon of holy writ; in his life he is their canon of *Polycletus*; he is their standard figure of perfection. To this man and this writer, as a pattern to authors and to Frenchmen, the founderies of Paris are now running for statues, with the
kettles

kettles of their poor and the bells of their churches. If an author had written like a great genius on geometry, though its practical and speculative morals were vitious in the extreme, it might appear, that in voting the statue, they honoured only the geometrician. But Rousseau is a moralist, or he is nothing. It is impossible, therefore, putting the circumstances together, to mistake their design in choosing the author, with whom they have begun to recommend a course of studies.

Their great problem is to find a substitute for all the principles which hitherto have been employed to regulate the human will and action. They find dispositions in the mind of such force and quality as may fit men, far better than the old morality, for the purposes of such a state as theirs, and may go much further in supporting their power, and destroying their enemies. They have therefore chosen a selfish, flattering, seductive, ostentatious vice, in the place of plain duty. True humility, the basis of the christian system, is the low, but deep and firm foundation of all real virtue. But this, as very painful in the practice, and little imposing in the appearance, they have totally discarded. Their object is to merge all natural and all social sentiment in inordinate vanity. In a small degree, and conversant in little things, vanity is of little moment. When full grown, it is the worst of vices, and the occasional mimick of them

them all. It makes the whole man false. It leaves nothing sincere or trust-worthy about him. His best qualities are poisoned and perverted by it, and operate exactly as the worst. When your lords had many writers as immoral as the object of their statue (such as Voltaire and others) they chose Rousseau; because in him that peculiar vice, which they wished to erect into ruling virtue, was by far the most conspicuous.

We have had the great professor and founder of the *philosophy of vanity* in England. As I had good opportunities of knowing his proceedings almost from day to day, he left no doubt on my mind that he entertained no principle either to influence his heart, or to guide his understanding but *vanity*. With this vice he was possessed to a degree little short of madness. It is from the same deranged, eccentric vanity, that this, the insane *Socrates* of the National Assembly, was impelled to publish a mad confession of his mad faults, and to attempt a new sort of glory from bringing hardly to light the obscure and vulgar vices, which we know may sometimes be blended with eminent talents. He has not observed on the nature of vanity who does not know that it is omnivorous; that it has no choice in its food; that it is fond to talk even of its own faults and vices, as what will excite surprise and draw attention, and what will pass at worst for openness and candour.

It

It was this abuse and perversion, which vanity makes even of hypocrisy, that has driven Rousseau to record a life not so much as chequered, or spotted here and there, with virtues, or even distinguished by a single good action. It is such a life he chooses to offer to the attention of mankind. It is such a life that, with a wild defiance, he flings in the face of his Creator, whom he acknowledges only to brave. Your Assembly, knowing how much more powerful example is found than precept, has chosen this man (by his own account without a single virtue) for a model. To him they erect their first statue. From him they commence their series of honours and distinctions.

It is that new, invented virtue, which your masters canonize, that led their moral hero constantly to exhaust the stores of his powerful rhetorick in the expression of universal benevolence; whilst his heart was incapable of harbouring one spark of common parental affection. Benevolence to the whole species, and want of feeling for every individual with whom the professors come in contact, form the character of the new philosophy. Setting up for an unsocial independence, this their hero of vanity refuses the just price of common labour, as well as the tribute which opulence owes to genius, and which, when paid, honours the giver and the receiver; and then he pleads his beggary as an excuse for his crimes. He melts

with tenderness for those only who touch him by the remotest relation, and then, without one natural pang, casts away, as a sort of offal and excrement, the spawn of his disgustful amours, and sends his children to the hospital of foundlings. The bear loves, licks, and forms her young; but bears are not philosophers. Vanity, however, finds its account in reversing the train of our natural feelings. Thousands admire the sentimental writer; the affectionate father is hardly known in his parish.

Under this philosophick instructor in the *ethicks of vanity*, they have attempted in France a regeneration of the moral constitution of man. Statesmen, like your present rulers, exist by every thing which is spurious, fictitious, and false; by every thing which takes the man from his house, and sets him on a stage; which makes him up an artificial creature, with painted, theatrick sentiments, fit to be seen by the glare of candle-light, and formed to be contemplated at a due distance. Vanity is too apt to prevail in all of us, and in all countries. To the improvement of Frenchmen it seems not absolutely necessary that it should be taught upon system. But it is plain that the present rebellion was its legitimate offspring, and it is piously fed by that rebellion with a daily dole.

If the system of institution recommended by the assembly be false and theatrick, it is because
their

their system of government is of the same character. To that, and to that alone, it is strictly conformable. To understand either, we must connect the morals with the politicks of the legislators. Your practical philosophers, systematick in every thing, have wisely begun at the source. As the relation between parents and children is the first amongst the elements of vulgar, natural morality*; they erect statues to a wild, ferocious, low-minded, hard-hearted father, of fine general feelings; a lover of his kind, but a hater of his kindred. Your masters reject the duties of his vulgar relation, as contrary to liberty; as not founded in the social compact; and not binding according to the rights of men; because the relation is not, of course, the result of *free election*; never so on the side of the children, not always on the part of the parents.

The next relation which they regenerate by their statues to Rousseau is that which is next in sanctity to that of a father. They differ from those old-fashioned thinkers, who considered pedagogues as sober and venerable characters, and allied to the parental. The moralists of the dark times, *preceptorem*

* Filiola tua te delectari lætor et probari tibi φυσικην esse τὴν πρὸς τὰ τέκνα: etenim, si hæc non est, nulla potest homini esse ad hominem naturæ adjunctio: qua sublata vitæ societas tollitur. Valete Patron (Rousseau) et tui condiscipuli! (L'Assemblée Nationale.)—Cic. Ep. ad Atticum.

sancti voluere parentis esse loco. In this age of light, they teach the people that preceptors ought to be in the place of gallants. They systematically corrupt a very corruptible race, (for some time a growing nuisance amongst you) a set of pert, petulant literators, to whom instead of their proper, but severe unostentatious duties, they assign the brilliant part of men of wit and pleasure, of gay, young, military sparks, and dangles at toilets. They call on the rising generation in France to take a sympathy in the adventures and fortunes, and they endeavour to engage their sensibility on the side of pedagogues, who betray the most awful family trusts, and vitiate their female pupils. They teach the people that the debauchers of virgins, almost in the arms of their parents, may be safe inmates in their houses, and even fit guardians of the honour of those husbands who succeed legally to the office which the young literators had pre-occupied, without asking leave of law or conscience.

Thus they dispose of all the family relations of parents and children, husbands and wives. Through this same instructor, by whom they corrupt the morals, they corrupt the taste. Taste and elegance, though they are reckoned only among the smaller and secondary morals, yet are of no mean importance in the regulation of life. A moral taste is not of force to turn vice into virtue; but it recommends virtue with something like the blandishments

blandishments of pleasure; and it infinitely abates the evils of vice. Rousseau, a writer of great force and vivacity, is totally destitute of taste in any sense of the word. Your masters, who are his scholars, conceive that all refinement has an aristocratick character. The last age had exhausted all its powers in giving a grace and nobleness to our mutual appetites, and in raising them into a higher class and order than seemed justly to belong to them. Through Rousseau, your masters are resolved to destroy these aristocratick prejudices. The passion called love has so general and powerful an influence; it makes so much of the entertainment, and indeed so much the occupation of that part of life which decides the character for ever, that the mode and the principles on which it engages the sympathy, and strikes the imagination, become of the utmost importance to the morals and manners of every society. Your rulers were well aware of this; and in their system of changing your manners to accommodate them to their politicks, they found nothing so convenient as Rousseau. Through him they teach men to love after the fashion of philosophers; that is, they teach to men, to Frenchmen, a love without gallantry; a love without any thing of that fine flower of youthfulness and gentility, which places it, if not among the virtues, among the ornaments of life. Instead of this passion, naturally allied to

grace and manners, they infuse into their youth an unfashioned, indelicate, sour, gloomy, ferocious medley of pedantry and lewdness; of metaphysical speculations blended with the coarsest sensuality. Such is the general morality of the passions to be found in their famous philosopher, in his famous work of philosophick gallantry the *Nouvelle Eloise*.

When the fence from the gallantry of preceptors is broken down, and your families are no longer protected by decent pride, and salutary domestick prejudice, there is but one step to a frightful corruption. The rulers in the National Assembly are in good hopes that the females of the first families in France may become an easy prey to dancing-masters, fiddlers, pattern-drawers, friseurs, and valets de chambre, and other active citizens of that description, who having the entry into your houses, and being half domesticated by their situation, may be blended with you by regular and irregular relations. By a law they have made these people their equals. By adopting the sentiments of Rousseau they have made them your rivals. In this manner these great legislators complete their plan of levelling, and establish their rights of men on a sure foundation.

I am certain that the writings of Rousseau lead directly to this kind of shameful evil. I have often wondered how he comes to be so much more
admired

admired and followed on the continent than he is here. Perhaps a secret charm in the language may have its share in this extraordinary difference. We certainly perceive, and to a degree we feel, in this writer, a style glowing, animated, enthusiastick; at the same time that we find it lax, diffuse, and not in the best taste of composition; all the members of the piece being pretty equally laboured and expanded, without any due selection or subordination of parts. He is generally too much on the stretch, and his manner has little variety. We cannot rest upon any of his works, though they contain observations which occasionally discover a considerable insight into human nature. But his doctrines, on the whole, are so inapplicable to real life and manners, that we never dream of drawing from them any rule for laws or conduct, or for fortifying or illustrating any thing by a reference to his opinions. They have with us the fate of older paradoxes,

*Cum ventum ad verum est sensus moresque repugnant,
Atque ipsa utilitas justì prope mater et æqui.*

Perhaps bold speculations are more acceptable because more new to you than to us, who have been long since satiated with them. We continue, as in the two last ages, to read, more generally than I believe is now done on the continent, the

authors of sound antiquity. These occupy our minds. They give us another taste and turn; and will not suffer us to be more than transiently amused with paradoxical morality. It is not that I consider this writer as wholly destitute of just notions. Amongst his irregularities, it must be reckoned that he is sometimes moral, and moral in a very sublime strain. But the *general spirit and tendency* of his works is mischievous; and the more mischievous for this mixture: for perfect depravity of sentiment is not reconcilable with eloquence; and the mind (though corruptible, not complexionally vicious) would reject, and throw off with disgust, a lesson of pure and unmixed evil. These writers make even virtue a pander to vice.

However, I less consider the author than the system of the Assembly in perverting morality through his means. This I confess makes me nearly despair of any attempt upon the minds of their followers, through reason, honour, or conscience. The great object of your tyrants is to destroy the gentlemen of France; and for that purpose they destroy, to the best of their power, all the effect of those relations which may render considerable men powerful or even safe. To destroy that order, they vitiate the whole community. That no means may exist of confederating against their tyranny, by the false sympathies of
this

this Nouvelle Eloise they endeavour to subvert those principles of domestick trust and fidelity, which form the discipline of social life. They propagate principles by which every servant may think it, if not his duty, at least his privilege to betray his master. By these principles, every considerable father of a family loses the sanctuary of his house. *Debet sua cuique domus esse perfugium tutissimum*, says the law, which your legislators have taken so much pains first to decry, then to repeal. They destroy all the tranquillity and security of domestick life; turning the asylum of the house into a gloomy prison, where the father of the family must drag out a miserable existence, endangered in proportion to the apparent means of his safety; where he is worse than solitary in a crowd of domesticks, and more apprehensive from his servants and inmates, than from the hired, blood-thirsty mob without doors, who are ready to pull him to the lanterne.

It is thus, and for the same end, that they endeavour to destroy that tribunal of conscience which exists independently of edicts and decrees. Your despots govern by terrour. They know that he who fears God fears nothing else: and therefore they eradicate from the mind, through their Voltaire, their Helvetius, and the rest of that infamous gang, that only sort of fear which generates true courage. Their object is, that their
fellow

fellow citizens may be under the dominion of no awe, but that of their committee of research, and of their lanterne.

Having found the advantage of assassination in the formation of their tyranny, it is the grand resource in which they trust for the support of it. Whoever opposes any of their proceedings, or is suspected of a design to oppose them, is to answer it with his life, or the lives of his wife and children. This infamous, cruel, and cowardly practice of assassination they have the impudence to call *merciful*. They boast that they operated their usurpation rather by terrour than by force ; and that a few seasonable murders have prevented the bloodshed of many battles. There is no doubt they will extend these acts of mercy whenever they see an occasion. Dreadful, however, will be the consequences of their attempt to avoid the evils of war by the merciful policy of murder. If, by effectual punishment of the guilty, they do not wholly disavow that practice, and the threat of it too, as any part of their policy ; if ever a foreign prince enters into France, he must enter it as into a country of assassins. The mode of civilized war will not be practised ; nor are the French who act on the present system entitled to expect it. They, whose known policy is to assassinate every citizen whom they suspect to be discontented by their tyranny, and to corrupt the soldiery

soldiery of every open enemy, must look for no modified hostility. All war, which is not battle, will be military execution. This will beget acts of retaliation from you ; and every retaliation will beget a new revenge. The hell-hounds of war, on all sides, will be uncoupled and unmuzzled. The new school of murder and barbarism, set up in Paris, having destroyed (so far as in it lies) all the other manners and principles which have hitherto civilized Europe, will destroy also the mode of civilized war, which, more than any thing else, has distinguished the Christian world. Such is the approaching golden age, which the * Virgil of your assembly has sung to his Pollios !

In such a situation of your political, your civil, and your social morals and manners, how can you be hurt by the freedom of any discussion ? Caution is for those who have something to lose. What I have said, to justify myself in not apprehending any ill consequence from a free discussion of the absurd consequences which flow from the relation of the lawful king to the usurped constitution, will apply to my vindication with regard to the exposure I have made of the state of the army under the same sophistick usurpation. The present tyrants want no arguments to prove, what they must daily feel, that no good army can exist

* Mirabeau's speech concerning universal peace.

on their principles. They are in no want of a monitor to suggest to them the policy of getting rid of the army, as well as of the king, whenever they are in a condition to effect that measure. What hopes may be entertained of your army for the restoration of your liberties, I know not. At present, yielding obedience to the pretended orders of a king, who, they are perfectly apprized, has no will, and who never can issue a mandate which is not intended, in the first operation, or in its certain consequences, for his own destruction, your army seems to make one of the principal links in the chain of that servitude of anarchy, by which a cruel usurpation holds an undone people at once in bondage and confusion.

You ask me what I think of the conduct of general Monk. How this affects your case I cannot tell. I doubt whether you possess, in France, any persons of a capacity to serve the French monarchy in the same manner in which Monk served the monarchy of England. The army which Monk commanded had been formed by Cromwell to a perfection of discipline which perhaps has never been exceeded. That army was besides of an excellent composition. The soldiers were men of extraordinary piety after their mode, of the greatest regularity, and even severity of manners; brave in the field, but modest, quiet and orderly in their quarters; men who abhorred the

the

the idea of assassinating their officers or any other persons; and who (they at least who served in this island) were firmly attached to those generals by whom they were well treated and ably commanded. Such an army, once gained, might be depended on. I doubt much, if you could now find a Monk, whether a Monk could find in France such an army.

I certainly agree with you, that in all probability we owe our whole constitution to the restoration of the English monarchy. The state of things from which Monk relieved England, was however by no means, at that time, so deplorable, in any sense, as yours is now, and under the present sway is likely to continue. Cromwell had delivered England from anarchy. His government, though military and despotick, had been regular and orderly. Under the iron, and under the yoke, the soil yielded its produce. After his death, the evils of anarchy were rather dreaded than felt. Every man was yet safe in his house and in his property. But it must be admitted, that Monk freed this nation from great and just apprehensions both of future anarchy and of probable tyranny in some form or other. The king whom he gave us was indeed the very reverse of your benignant sovereign, who, in reward for his attempt to bestow liberty on his subjects, languishes himself in prison. The person given to us by
Monk

Monk was a man without any sense of his duty as a prince ; without any regard to the dignity of his crown ; without any love to his people ; dissolute, false, venal, and destitute of any positive good quality whatsoever, except a pleasant temper, and the manners of a gentleman. Yet the restoration of our monarchy, even in the person of such a prince, was every thing to us ; for without monarchy in England, most certainly we never can enjoy either peace or liberty. It was under this conviction that the very first regular step, which we took on the Revolution of 1688, was to fill the throne with a real king ; and even before it could be done in due form, the chiefs of the nation did not attempt themselves to exercise authority so much as by *interim*. They instantly requested the prince of Orange to take the government on himself. The throne was not effectively vacant for an hour.

Your fundamental laws, as well as ours, suppose a monarchy. Your zeal, Sir, in standing so firmly for it as you have done, shews not only a sacred respect for your honour and fidelity, but a well-informed attachment to the real welfare and true liberties of your country. I have expressed myself ill, if I have given you cause to imagine, that I prefer the conduct of those who have retired from this warfare to your behaviour, who, with a courage and constancy almost supernatural,
have

have struggled against tyranny, and kept the field to the last. You see I have corrected the exceptionable part in the edition which I now send you. Indeed, in such terrible extremities as yours, it is not easy to say, in a political view, what line of conduct is the most advisable. In that state of things, I cannot bring myself severely to condemn persons who are wholly unable to bear so much as the sight of those men in the throne of legislation, who are only fit to be the objects of criminal justice. If fatigue, if disgust, if unsurmountable nausea drive them away from such spectacles, *ubi miseriarum pars non minima erat, videre et aspici*, I cannot blame them. He must have an heart of adamant who could hear a set of traitors puffed up with unexpected and undeserved power, obtained by an ignoble, unmanly, and perfidious rebellion, treating their honest fellow citizens as *rebels*, because they refused to bind themselves, through their conscience, against the dictates of conscience itself, and had declined to swear an active compliance with their own ruin. How could a man of common flesh and blood endure, that those, who but the other day had skulked unobserved in their antichambers, scornfully insulting men, illustrious in their rank, sacred in their function, and venerable in their character, now in decline of life, and swimming on the wrecks of their fortunes, that those miscreants
should

should tell such men scornfully and outrageously, after they had robbed them of all their property, that it is more than enough if they are allowed what will keep them from absolute famine, and that, for the rest, they must let their grey hairs fall over the plough, to make out a scanty subsistence with the labour of their hands! Last, and worst, who could endure to hear this unnatural, insolent, and savage despotism called liberty? If, at this distance, sitting quietly by my fire, I cannot read their decrees and speeches without indignation, shall I condemn those who have fled from the actual sight and hearing of all these horrors? No, no! mankind has no title to demand that we should be slaves to their guilt and insolence; or that we should serve them in spite of themselves. Minds, sore with the poignant sense of insulted virtue, filled with high disdain against the pride of triumphant baseness, often have it not in their choice to stand their ground. Their complexion (which might defy the rack) cannot go through such a trial. Something very high must fortify men to that proof. But when I am driven to comparison, surely I cannot hesitate for a moment to prefer to such men as are common; those heroes, who, in the midst of despair, perform all the tasks of hope; who subdue their feelings to their duties; who, in the cause of humanity, liberty, and honour, abandon all the satisfactions of life,

life, and every day incur a fresh risk of life itself. Do me the justice to believe that I never can prefer any fastidious virtue (virtue still) to the unconquered perseverance, to the affectionate patience of those who watch day and night, by the bed-side of their delirious country, who, for their love to that dear and venerable name, bear all the disgusts, and all the buffets they receive from their frantick mother. Sir, I do look on you as true martyrs; I regard you as soldiers who act far more in the spirit of our Commander in chief, and the Captain of our salvation, than those who have left you; though I must first bolt myself very thoroughly, and know that I could do better, before I can censure them. I assure you, Sir, that, when I consider your unconquerable fidelity to your sovereign, and to your country; the courage, fortitude, magnanimity, and long suffering of yourself, and the Abbé Maury, and of Mr. Cazales, and of many worthy persons of all orders, in your Assembly, I forget, in the lustre of these great qualities, that on your side has been displayed an eloquence so rational, manly, and convincing, that no time or country, perhaps, has ever excelled. But your talents disappear in my admiration of your virtues.

As to Mr. Mounier and Mr. Lally, I have always wished to do justice to their parts, and their eloquence, and the general purity of their motives.

Indeed I saw very well, from the beginning, the mischiefs which, with all these talents and good intentions, they would do their country, through their confidence in systems. But their distemper was an epidemick malady. They were young and inexperienced ; and when will young and inexperienced men learn caution and distrust of themselves? And when will men, young or old, if suddenly raised to far higher power than that which absolute kings and emperours commonly enjoy, learn any thing like moderation? Monarchs, in general, respect some settled order of things, which they find it difficult to move from its basis, and to which they are obliged to conform, even when there are no positive limitations to their power. These gentlemen conceived that they were chosen to new model the state, and even the whole order of civil society itself. No wonder that *they* entertained dangerous visions, when the king's ministers, trustees for the sacred deposit of the monarchy, were so infected with the contagion of project and system (I can hardly think it black premeditated treachery), that they publicly advertised for plans and schemes of government, as if they were to provide for the rebuilding of an hospital that had been burned down. What was this, but to unchain the fury of rash speculation amongst a people of itself but too apt to be guided by a heated imagination, and a wild spirit of adventure?

The fault of Mr. Mounier and Mr. Lally was very great; but it was very general. If those gentlemen stopped when they came to the brink of the gulf of guilt and publick misery, that yawned before them in the abyss of these dark and bottomless speculations, I forgive their first error: in that they were involved with many. Their repentance was their own.

They who consider Mounier and Lally as deserters, must regard themselves as murderers and as traitors: for from what else than murder and treason did they desert? For my part, I honour them for not having carried mistake into crime. If, indeed, I thought that they were not cured by experience; that they were not made sensible that those, who would reform a state, ought to assume some actual constitution of government which is to be reformed; if they are not at length satisfied that it is become a necessary preliminary to liberty in France, to commence by the re-establishment of order and property of *every* kind, and, through the re-establishment of their monarchy, of every one of the old habitual distinctions and classes of the state; if they do not see that these classes are not to be confounded in order to be afterwards revived and separated; if they are not convinced that the scheme of parochial and club governments takes up the state at the wrong end, and is a low and senseless contrivance (as making the

E 2

sole

sole constitution of a supreme power) I should then allow that their early rashness ought to be remembered to the last moment of their lives.

You gently reprehend me, because, in holding out the picture of your disastrous situation, I suggest no plan for a remedy. Alas! Sir, the proposition of plans, without an attention to circumstances, is the very cause of all your misfortunes; and never shall you find me aggravating, by the infusion of any speculations of mine, the evils which have arisen from the speculations of others. Your malady, in this respect, is a disorder of repletion. You seem to think that my keeping back my poor ideas may arise from an indifference to the welfare of a foreign, and, sometimes, an hostile nation. No, Sir, I faithfully assure you, my reserve is owing to no such causes. Is this letter, swelled to a second book, a mark of national antipathy, or even of national indifference? I should act altogether in the spirit of the same caution, in a similar state of our own domestick affairs. If I were to venture any advice, in any case, it would be my best. The sacred duty of an adviser (one of the most inviolable that exists) would lead me, towards a real enemy, to act as if my best friend were the party concerned. But I dare not risk a speculation with no better view of your affairs, than at present I can command; my caution is not from disregard, but from solicitude for
your

your welfare. It is suggested solely from my dread of becoming the author of inconsiderate counsel.

It is not, that, as this strange series of actions has passed before my eyes, I have not indulged my mind in a great variety of political speculations concerning them. But compelled by no such positive duty as does not permit me to evade an opinion: called upon by no ruling power, without authority as I am, and without confidence, I should ill answer my own ideas of what would become myself, or what would be serviceable to others, if I were, as a volunteer, to obtrude any project of mine upon a nation, to whose circumstances I could not be sure it might be applicable.

Permit me to say, that if I were as confident, as I ought to be diffident in my own loose, general ideas, I never should venture to broach them, if but at twenty leagues distance from the centre of your affairs. I must see with my own eyes, I must, in a manner, touch with my own hands, not only the fixed, but the momentary circumstances, before I could venture to suggest any political project whatsoever. I must know the power and disposition to accept, to execute, to persevere. I must see all the aids, and all the obstacles. I must see the means of correcting the plan, where correctives would be wanted. I must see the things; I must see the men. Without a

concurrence and adaptation of these to the design, the very best speculative projects might become not only useless but mischievous. Plans must be made for men. We cannot think of making men, and binding nature to our designs. People at a distance must judge ill of men. They do not always answer to their reputation when you approach them. Nay, the perspective varies, and shews them quite otherwise than you thought them. At a distance, if we judge uncertainly of men, we must judge worse of *opportunities*, which continually vary their shapes and colours, and pass away like clouds. The Eastern politicians never do any thing without the opinion of the astrologers on the *fortunate moment*. They are in the right if they can do no better; for the opinion of fortune is something towards commanding it. Statesmen of a more judicious prescience look for the fortunate moment too; but they seek it, not in the conjunctions and oppositions of planets, but in the conjunctions and oppositions of men and things. These form their almanack.

To illustrate the mischief of a wise plan, without any attention to means and circumstances, it is not necessary to go farther than to your recent history. In the condition in which France was found three years ago, what better system could be proposed, what less, even savouring of wild theory, what fitter to provide for all the exigencies, whilst

whilst it reformed all the abuses of government, than the convention of the states-general? I think nothing better could be imagined. But I have censured, and do still presume to censure your parliament of Paris for not having suggested to the king, that this proper measure was of all measures the most critical and arduous; one in which the utmost circumspection and the greatest number of precautions were the most absolutely necessary. The very confession that a government wants either amendment in its conformation, or relief to great distress, causes it to lose half its reputation, and as great a proportion of its strength as depends upon that reputation. It was therefore necessary, first to put government out of danger, whilst at its own desire it suffered such an operation, as a general reform at the hands of those who were much more filled with a sense of the disease, than provided with rational means of a cure.

It may be said, that this care, and these precautions, were more naturally the duty of the king's ministers, than that of the parliament. They were so; but every man must answer in his estimation for the advice he gives, when he puts the conduct of his measure into hands who he does not know will execute his plans according to his ideas. Three or four ministers were not to be trusted with the being of the French monarchy, of all the orders,

and of all the distinctions, and all the property of the kingdom. What must be the prudence of those who could think, in the then known temper of the people of Paris, of assembling the states at a place situated as Versailles?

The parliament of Paris did worse than to inspire this blind confidence into the king. For, as if names were things, they took no notice of (indeed they rather countenanced) the deviations which were manifest in the execution, from the true ancient principles of the plan which they recommended. These deviations (as guardians of the ancient laws, usages, and constitution of the kingdom) the parliament of Paris ought not to have suffered, without the strongest remonstrances to the throne. It ought to have sounded the alarm to the whole nation, as it had often done on things of infinitely less importance. Under pretence of resuscitating the ancient constitution, the parliament saw one of the strongest acts of innovation, and the most leading in its consequences, carried into effect before their eyes; and an innovation through the medium of despotism; that is, they suffered the king's ministers to new model the whole representation of the *tiers etat*, and, in a great measure, that of the clergy too, and to destroy the ancient proportions of the orders. These changes, unquestionably, the king had no right to make; and here the parliaments failed in
their

their duty, and, along with their country, have perished by this failure.

What a number of faults have led to this multitude of misfortunes, and almost all from this one source,—that of considering certain general maxims, without attending to circumstances, to times, to places, to conjunctures, and to actors; If we do not attend scrupulously to all these, the medicine of to-day becomes the poison of to-morrow. If any measure was in the abstract better than another, it was to call the states—*ea visa salus morientibus una*.—Certainly it had the appearance.—But see the consequences of not attending to critical moments, of not regarding the symptoms which discriminate diseases, and which distinguish constitutions, complexions, and humours:

*Mox erat hoc ipsum exitio; furisq; refectioni,
Ardebant; ipsique suos, jam morte sub ægra,
Discissos nudis laniabant dentibus artus.*

Thus the potion which was given to strengthen the constitution, to heal divisions, and to compose the minds of men, became the source of debility, phrensy, discord, and utter dissolution.

In this, perhaps, I have answered, I think, another of your questions—Whether the British constitution is adapted to your circumstances? When I praised the British constitution, and wished
it

it to be well studied, I did not mean that its exterior form and positive arrangement should become a model for you, or for any people servilely to copy. I meant to recommend the *principles* from which it has grown, and the policy on which it has been progressively improved out of elements common to you and to us. I am sure it is no visionary theory of mine. It is not an advice that subjects you to the hazard of any experiment. I believed the ancient principles to be wise in all cases of a large empire that would be free. I thought you possessed our principles in your old forms, in as great a perfection as we did originally. If your states agreed (as I think they did) with your circumstances, they were best for you. As you had a constitution formed upon principles similar to ours, my idea was, that you might have improved them as we have done, conforming them to the state and exigencies of the times, and the condition of property in your country; having the conservation of that property, and the substantial basis of your monarchy, as principal objects in all your reforms.

I do not advise a house of lords to you. Your ancient course by representatives of the noblesse (in your circumstances) appears to me rather a better institution. I know, that, with you, a set of men of rank have betrayed their constituents, their honour, their trust, their king, and their country,

country, and levelled themselves with their footmen, that through this degradation they might afterwards put themselves above their natural equals. Some of these persons have entertained a project, that, in reward of this their black perfidy and corruption, they may be chosen to give rise to a new order, and to establish themselves into a house of lords. Do you think that, under the name of a British constitution, I mean to recommend to you such lords, made of such kind of stuff? I do not however include in this description all of those who are fond of this scheme.

If you were now to form such a house of peers, it would bear, in my opinion, but little resemblance to ours in its origin, character, or the purposes which it might answer, at the same time that it would destroy your true natural nobility: but if you are not in a condition to frame a house of lords, still less are you capable, in my opinion, of framing any thing which virtually and substantially could be answerable (for the purposes of a stable, regular government) to our house of commons. That house is, within itself, a much more subtle and artificial combination of parts and powers, than people are generally aware of. What knits it to the other members of the constitution; what fits it to be at once the great support, and the great control of government; what makes it of such admirable service to that monarchy which,

which, if it limits, it secures and strengthens, would require a long discourse, belonging to the leisure of a contemplative man, not to one whose duty it is to join in communicating practically to the people the blessings of such a constitution.

Your *tiers etat* was not in effect and substance a house of commons. You stood in absolute need of something else to supply the manifest defects in such a body as your *tiers etat*. On a sober and dispassionate view of your old constitution, as connected with all the present circumstances, I was fully persuaded, that the crown, standing as things have stood (and are likely to stand, if you are to have any monarchy at all) was and is incapable, alone and by itself, of holding a just balance between the two orders, and at the same time of effecting the interior and exterior purposes of a protecting government. I, whose leading principle it is, in a reformation of the state, to make use of existing materials, am of opinion, that the representation of the clergy, as a separate order, was an institution which touched all the orders more nearly than any of them touched the other; that it was well fitted to connect them; and to hold a place in any wise, monarchical commonwealth. If I refer you to your original constitution, and think it, as I do, substantially a good one, I do not amuse you in this, more than in other things, with any inventions of mine. A
certain

certain intemperance of intellect is the disease of the time, and the source of all its other diseases. I will keep myself as untainted by it as I can. Your architects build without a foundation. I would readily lend a helping hand to any superstructure, when once this is effectually secured—but first I would say *δὸς πρῶτον*.

You think, Sir, and you might think rightly, upon the first view of the theory, that to provide for the exigencies of an empire, so situated and so related as that of France, its king ought to be invested with powers very much superiour to those which the king of England possesses under the letter of our constitution. Every degree of power necessary to the state, and not destructive to the rational and moral freedom of individuals, to that personal liberty, and personal security, which contribute so much to the vigour, the prosperity, the happiness, and the dignity of a nation—every degree of power which does not suppose the total absence of all controul, and all responsibility on the part of ministers,—a king of France, in common sense, ought to possess. But whether the exact measure of authority, assigned by the letter of the law to the king of Great Britain, can answer to the exterior or interior purposes of the French monarchy is a point which I cannot venture to judge upon. Here, both in the power given, and its

its limitations, we have always cautiously felt our way. The parts of our constitution have gradually, and almost insensibly, in a long course of time, accommodated themselves to each other, and to their common, as well as to their separate purposes. But this adaptation of contending parts, as it has not been in ours, so it can never be in yours, or in any country, the effect of a single instantaneous regulation, and no sound heads could ever think of doing it in that manner.

I believe, Sir, that many on the continent altogether mistake the condition of a king of Great Britain. He is a real king, and not an executive officer. If he will not trouble himself with contemptible details, nor wish to degrade himself by becoming a party in little squabbles, I am far from sure, that a king of Great Britain, in whatever concerns him as a king, or indeed as a rational man, who combines his publick interest with his personal satisfaction, does not possess a more real, solid, extensive power, than the king of France was possessed of before this miserable Revolution. The direct power of the king of England is considerable. His indirect, and far more certain power, is great indeed. He stands in need of nothing towards dignity; of nothing towards splendour; of nothing towards authority; of nothing at all towards consideration abroad. When was
it

it that a king of England wanted wherewithal to make him respected, courted, or perhaps even feared in every state of Europe?

I am constantly of opinion, that your states, in three orders; on the footing on which they stood in 1614, were capable of being brought into a proper and harmonious combination with royal authority. This constitution by estates, was the natural and only just representation of France. It grew out of the habitual conditions, relations, and reciprocal claims of men. It grew out of the circumstances of the country, and out of the state of property. The wretched scheme of your present masters is not to fit the constitution to the people, but wholly to destroy conditions, to dissolve relations, to change the state of the nation, and to subvert property, in order to fit their country to their theory of a constitution.

Until you make out practically that great work, a combination of opposing forces, "a work of labour long, and endless praise," the utmost caution ought to have been used in the reduction of the royal power, which alone was capable of holding together the comparatively heterogeneous mass of your states. But, at this day, all these considerations are unseasonable. To what end should we discuss the limitations of royal power? Your king is in prison. Why speculate on the measure and standard of liberty? I doubt much, very
much

much indeed, whether France is at all ripe for liberty on any standard. Men are unqualified for civil liberty in exact proportion to their disposition to put moral chains upon their own appetites ; in proportion as their love to justice is above their rapacity ; in proportion as their soundness and sobriety of understanding is above their vanity and presumption ; in proportion as they are more disposed to listen to the counsels of the wise and good, in preference to the flattery of knaves. Society cannot exist unless a controulling power upon will and appetite be placed somewhere, and the less of it there is within, the more there must be without. It is ordained in the eternal constitution of things, that men of intemperate minds cannot be free. Their passions forge their fetters.

This sentence the prevalent part of your countrymen execute on themselves. They possessed not long since, what was next to freedom, a mild paternal monarchy. They despised it for its weakness. They were offered a well-poised, free constitution. It did not suit their taste nor their temper. They carved for themselves ; they flew out, murdered, robbed, and rebelled. They have succeeded, and put over their country an insolent tyranny made up of cruel and inexorable masters, and that too of a description hitherto not known in the world. The powers and policies by which they have succeeded are not those of great statesmen,

or

or great military commanders, but the practices of incendiaries, assassins, housebreakers, robbers, spreaders of false news, forgers of false orders from authority, and other delinquencies, of which ordinary justice takes cognizance. Accordingly the spirit of their rule is exactly correspondent to the means by which they obtained it. They act more in the manner of thieves who have got possession of a house, than of conquerors who have subdued a nation.

Opposed to these, in appearance, but in appearance only, is another band, who call themselves the *moderate*. These, if I conceive rightly of their conduct, are a set of men who approve heartily of the whole new constitution, but wish to lay heavily on the most atrocious of those crimes, by which this fine constitution of theirs has been obtained. They are a sort of people who affect to proceed as if they thought that men may deceive without fraud, rob without injustice, and overturn every thing without violence. They are men who would usurp the government of their country with decency and moderation. In fact they are nothing more or better, than men engaged in desperate designs, with feeble minds. They are not honest; they are only ineffectual and unsystematic in their iniquity. They are persons who want not the dispositions, but the energy and vigour, that is necessary for great evil machinations.

They find that in such designs they fall at best into a secondary rank, and others take the place and lead in usurpation, which they are not qualified to obtain or to hold. They envy to their companions the natural fruit of their crimes ; they join to run them down with the hue and cry of mankind, which pursues their common offences ; and then hope to mount into their places on the credit of the sobriety with which they shew themselves disposed to carry on what may seem most plausible in the mischievous projects they pursue in common. But these men are naturally despised by those who have heads to know, and hearts that are able to go through the necessary demands of bold wicked enterprises. They are naturally classed below the latter description, and will only be used by them as inferiour instruments. They will be only the Fairfaxes of your Cromwells. If they mean honestly, why do they not strengthen the arms of honest men, to support their ancient, legal, wise, and free government, given to them in the spring of 1788, against the inventions of craft, and the theories of ignorance and folly ? If they do not, they must continue the scorn of both parties ; sometimes the tool, sometimes the incumbrance of that, whose views they approve, whose conduct they decry. These people are only made to be the sport of tyrants. They never can obtain or communicate freedom.

You

You ask me too, whether we have a committee of research. No, Sir,—God forbid! It is the necessary instrument of tyranny and usurpation; and therefore I do not wonder that it has had an early establishment under your present lords. We do not want it.

Excuse my length. I have been somewhat occupied since I was honoured with your letter; and I should not have been able to answer it at all, but for the holidays, which have given me means of enjoying the leisure of the country. I am called to duties which I am neither able nor willing to evade. I must soon return to my old conflict with the corruptions and oppressions which have prevailed in our eastern dominions. I must turn myself wholly from those of France.

In England we *cannot* work so hard as Frenchmen. Frequent relaxation is necessary to us. You are naturally more intense in your application. I did not know this part of your national character, until I went into France in 1773. At present, this your disposition to labour is rather encreased than lessened. In your Assembly you do not allow yourselves a recess even on Sundays. We have two days in the week, besides the festivals; and besides five or six months of the summer and autumn. This continued, unremitted effort of the members of your Assembly, I take to be one among the causes of the mischief they have done. They

who always labour can have no true judgment. You never give yourselves time to cool. You can never survey, from its proper point of sight, the work you have finished, before you decree its final execution. You can never plan the future by the past. You never go into the country, soberly and dispassionately to observe the effect of your measures on their objects. You cannot feel distinctly how far the people are rendered better and improved, or more miserable and depraved, by what you have done. You cannot see with your own eyes the sufferings and afflictions you cause. You know them but at a distance, on the statements of those who always flatter the reigning power, and who, amidst their representations of the grievances, inflame your minds against those who are oppressed. These are amongst the effects of unremitted labour, when men exhaust their attention, burn out their candles, and are left in the dark.—*Malo meorum negligentiam, quam istorum obscuram diligentiam.*

I have the honour, &c.

(Signed) EDMUND BURKE.

Beaconsfield,
January 19th, 1791.

AN
APPEAL
FROM
THE NEW TO THE OLD WHIGS,
IN CONSEQUENCE OF SOME LATE
DISCUSSIONS IN PARLIAMENT,
RELATIVE TO THE
REFLECTIONS ON THE FRENCH REVOLUTION.
1791.

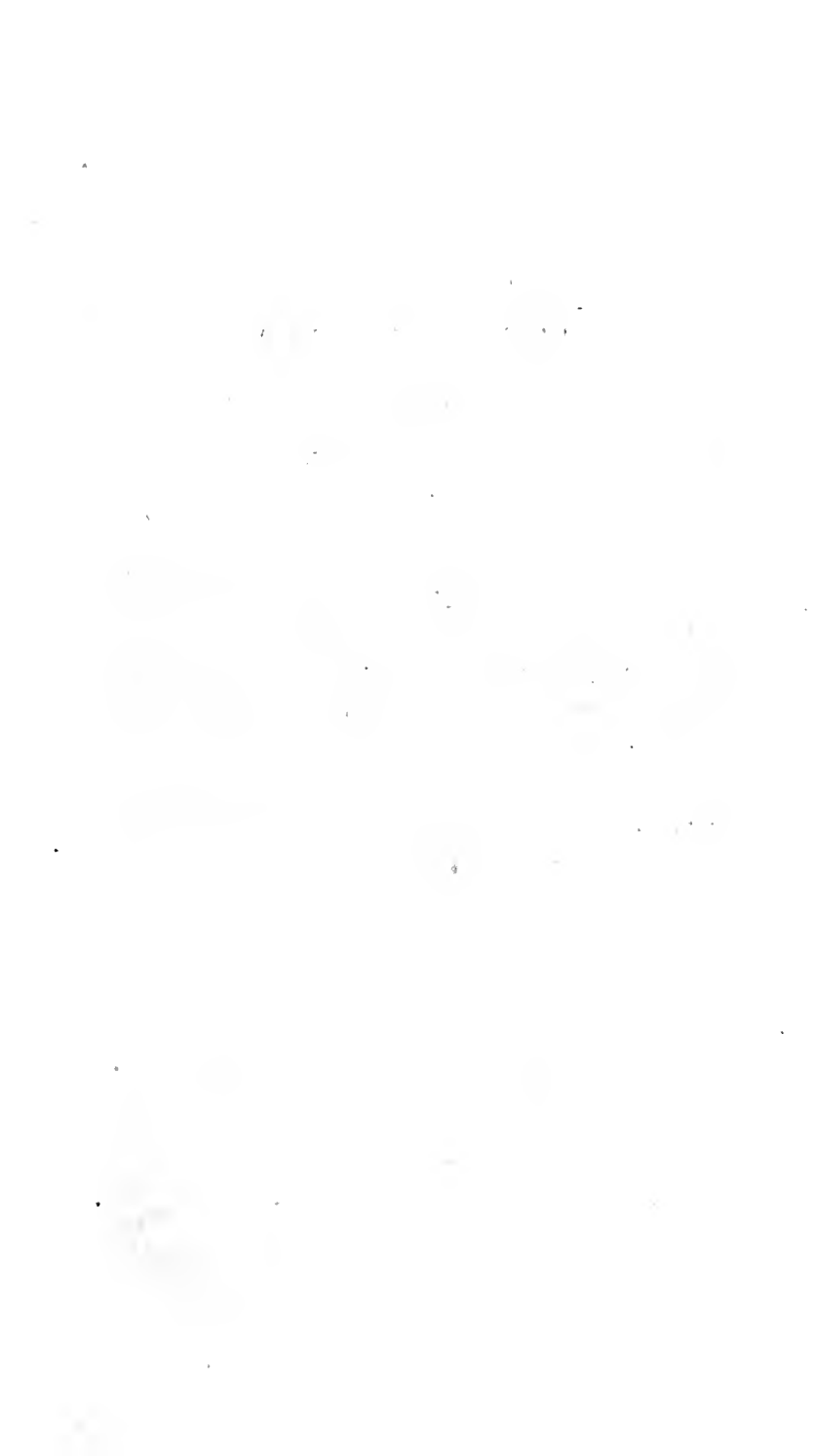


ADVERTISEMENT

TO THE

SECOND EDITION.

THERE are some corrections in this Edition, which tend to render the sense less obscure in one or two places. The order of the two last members is also changed, and I believe for the better. This change was made on the suggestion of a very learned person, to the partiality of whose friendship I owe much ; to the severity of whose judgment I owe more.



AN APPEAL

From The NEW to The OLD WHIGS,

&c.

AT Mr. Burke's time of life, and in his dispositions, *petere honestam missionem* was all he had to do with his political associates. This boon they have not chosen to grant him. With many expressions of good-will, in effect they tell him he has loaded the stage too long. They conceive it, though an harsh yet a necessary office, in full parliament to declare to the present age, and to as late a posterity as shall take any concern in the proceedings of our day, that by one book he has disgraced the whole tenour of his life.—Thus they dismiss their old partner of the war. He is advised to retire, whilst they continue to serve the publick upon wiser principles, and under better auspices.

Whether Diogenes the Cynic was a true philosopher, cannot easily be determined. He has written nothing. But the sayings of his which are handed down by others are lively; and may be easily and aptly applied on many occasions by those whose wit is not so perfect as their memory. This Diogenes (as every one will recollect) was
citizen

citizen of a little, bleak town situated on the coast of the Euxine, and exposed to all the buffets of that inhospitable sea. He lived at a great distance from those weather-beaten walls, in ease and indolence, and in the midst of literary leisure, when he was informed that his townsmen had condemned him to be banished from Sinope ; he answered coolly, “ And I condemn them to live in Sinope.”

The gentlemen of the party in which Mr. Burke, has always acted, in passing upon him the sentence of retirement,* have done nothing more than to confirm the sentence which he had long before

* Newspaper intelligence ought always to be received with some degree of caution. I do not know that the following paragraph is founded on any authority ; but it comes with an air of authority. The paper is professedly in the interest of the modern Whigs, and under their direction. The paragraph is not disclaimed on their part. It professes to be the decision of those whom its author calls “ the great and firm body of the Whigs of England.” Who are the Whigs of a different composition, which the promulgator of the sentence considers as composed of fleeting and unsettled particles, I know not, nor whether there be any of that description. The definitive sentence of “ the great and firm body of the Whigs of England ” (as this paper gives it out) is as follows :

“ The great and firm body of the Whigs of England, true to their principles, have decided on the dispute between Mr. Fox and Mr. Burke ; and the former is declared to have maintained the pure doctrines by which they are bound together, and upon which they have invariably acted. The consequence is, that Mr. Burke retires from parliament.”—*Morning Chronicle*, May 12, 1791.

passed

passed upon himself. When that retreat was choice, which the tribunal of his peers inflict as punishment, it is plain he does not think their sentence intolerably severe. Whether they, who are to continue in the Sinope which shortly he is to leave, will spend the long years which, I hope, remain to them, in a manner more to their satisfaction, than he shall slide down, in silence and obscurity, the slope of his declining days, is best known to Him who measures out years, and days, and fortunes.

The quality of the sentence does not however decide on the justice of it. Angry friendship is sometimes as bad as calm enmity. For this reason the cold neutrality of abstract justice is, to a good and clear cause, a more desirable thing than an affection liable to be any way disturbed. When the trial is by friends, if the decision should happen to be favourable, the honour of the acquittal is lessened; if adverse, the condemnation is exceedingly embittered. It is aggravated by coming from lips professing friendship, and pronouncing judgment with sorrow and reluctance. Taking in the whole view of life, it is more safe to live under the jurisdiction of severe but steady reason, than under the empire of indulgent, but capricious passion. It is certainly well for Mr. Burke that there are impartial men in the world. To them I address myself, pending the appeal which
on

on his part is made from the living to the dead, from the modern Whigs to the ancient.

The gentlemen, who, in the name of the party, have passed sentence on Mr. Burke's book, in the light of literary criticism, are judges above all challenge. He did not indeed flatter himself, that as a writer he could claim the approbation of men whose talents, in his judgment and in the public judgment, approach to prodigies; if ever such persons should be disposed to estimate the merit of a composition upon the standard of their own ability.

In their critical censure, though Mr. Burke may find himself humbled by it as a writer, as a man, and as an Englishman, he finds matter not only of consolation, but of pride. He proposed to convey to a foreign people, not his own ideas, but the prevalent opinions and sentiments of a nation, renowned for wisdom, and celebrated in all ages for a well understood and well regulated love of freedom. This was the avowed purpose of the far greater part of his work. As that work has not been ill received, and as his criticks will not only admit but contend, that this reception could not be owing to any excellence in the composition capable of perverting the public judgment, it is clear that he is not disavowed by the nation whose sentiments he had undertaken to describe. His representation is authenticated by the verdict of his country.

country. Had his piece, as a work of skill, been thought worthy of commendation, some doubt might have been entertained of the cause of his success. But the matter stands exactly as he wishes it. He is more happy to have his fidelity in representation recognised by the body of the people, than if he were to be ranked in point of ability (and higher he could not be ranked) with those whose critical censure he has had the misfortune to incur.

It is not from this part of their decision which the author wishes an appeal. There are things which touch him more nearly. To abandon them would argue, not diffidence in his abilities, but treachery to his cause. Had his work been recognised as a pattern for dexterous argument, and powerful eloquence, yet if it tended to establish maxims, or to inspire sentiments, adverse to the wise and free constitution of this kingdom, he would only have cause to lament, that it possessed qualities fitted to perpetuate the memory of his offence. Oblivion would be the only means of his escaping the reproaches of posterity. But, after receiving the common allowance due to the common weakness of a man, he wishes to owe no part of the indulgence of the world to its forgetfulness. He is at issue with the party, before the present, and if ever he can reach it, before the coming generation.

The

The author, several months previous to his publication, well knew, that two gentlemen, both of them possessed of the most distinguished abilities, and of a most decisive authority in the party, had differed with him in one of the most material points relative to the French Revolution ; that is, in their opinion of the behaviour of the French soldiery, and its revolt from its officers. At the time of their publick declaration on this subject, he did not imagine the opinion of these two gentlemen had extended a great way beyond themselves. He was however well aware of the probability, that persons of their just credit and influence would at length dispose the greater number to an agreement with their sentiments ; and perhaps might induce the whole body to a tacit acquiescence in their declarations, under a natural, and not always an improper dislike of shewing a difference with those who lead their party. I will not deny, that in general this conduct in parties is defensible ; but within what limits the practice is to be circumscribed, and with what exceptions the doctrine which supports it is to be received, it is not my present purpose to define. The present question has nothing to do with their motives ; it only regards the publick expression of their sentiments.

The author is compelled, however reluctantly, to receive the sentence pronounced upon him in
the

the house of commons as that of the party. It proceeded from the mouth of him who must be regarded as its authentick organ. In a discussion which continued for two days, no one gentleman of the opposition interposed a negative, or even a doubt, in favour of him or his opinions. If an idea consonant to the doctrine of his book, or favourable to his conduct, lurks in the minds of any persons in that description, it is to be considered only as a peculiarity which they indulge to their own private liberty of thinking. The author cannot reckon upon it. It has nothing to do with them as members of a party. In their publick capacity, in every thing that meets the publick ear, or publick eye, the body must be considered as unanimous.

They must have been animated with a very warm zeal against those opinions, because they were under no *necessity* of acting as they did, from any just cause of apprehension that the errors of this writer should be taken for theirs. They might disapprove; it was not necessary they should *disavow* him, as they have done in the whole, and in all the parts of his book; because neither in the whole nor in any of the parts, were they directly, or by any implication, involved. The author was known indeed to have been warmly, strenuously, and affectionately, against all allurements of ambition, and all possibility of alienation from pride,

or

or personal pique, or peevish jealousy, attached to the Whig party. With one of them he has had a long friendship, which he must ever remember with a melancholy pleasure. To the great, real, and amiable virtues, and to the unequalled abilities of that gentleman, he shall always join with his country in paying a just tribute of applause. There are others in that party for whom, without any shade of sorrow, he bears as high a degree of love as can enter into the human heart; and as much veneration as ought to be paid to human creatures; because he firmly believes, that they are endowed with as many and as great virtues, as the nature of man is capable of producing, joined to great clearness of intellect, to a just judgment, to a wonderful temper, and to true wisdom. His sentiments with regard to them can never vary, without subjecting him to the just indignation of mankind, who are bound, and are generally disposed, to look up with reverence to the best patterns of their species, and such as give a dignity to the nature of which we all participate. For the whole of the party he has high respect. Upon a view indeed of the composition of all parties, he finds great satisfaction. It is, that in leaving the service of his country, he leaves parliament without all comparison richer in abilities than he found it. Very solid and very brilliant talents distinguish the ministerial benches. The
opposite

opposite rows are a sort of seminary of genius, and have brought forth such and so great talents as never before (amongst us at least) have appeared together. If their owners are disposed to serve their country, (he trusts they are) they are in a condition to render it services of the highest importance. If through mistake or passion, they are led to contribute to its ruin, we shall at least have a consolation denied to the ruined country that adjoins us—we shall not be destroyed by men of mean or secondary capacities.

All these considerations of party attachment, of personal regard, and of personal admiration, rendered the Author of the Reflections extremely cautious, lest the slightest suspicion should arise of his having undertaken to express the sentiments even of a single man of that description. His words at the outset of his Reflections are these :

“ In the first letter I had the honour to write
 “ to you, and which at length I send, I wrote neither *for*, nor *from* any description of men ; nor
 “ shall I in this. My errors, if any, are *my own*.
 “ My reputation *alone* is to answer for them.”
 In another place, he says (p. 126,) “ I have no
 “ *man's* proxy. I speak *only* from *myself*, when I
 “ disclaim, as I do, with all possible earnestness,
 “ all communion with the actors in that triumph,
 “ or with the admirers of it. When I assert any
 “ thing else, as concerning the people of England,
 “ I speak from observation, *not from authority*.”

To say then, that the book did not contain the sentiments of their party, is not to contradict the author, or to clear themselves. If the party had denied his doctrines to be the current opinions of the majority in the nation, they would have put the question on its true issue. There, I hope and believe, his censurers will find on the trial, that the author is as faithful a representative of the general sentiment of the people of England, as any person amongst them can be of the ideas of his own party.

The French Revolution can have no connexion with the objects of any parties in England formed before the period of that event, unless they choose to imitate any of its acts, or to consolidate any principles of that Revolution with their own opinions. The French Revolution is no part of their original contract. The matter, standing by itself, is an open subject of political discussion, like all the other revolutions (and there are many) which have been attempted or accomplished in our age. But if any considerable number of British subjects, taking a factious interest in the proceedings of France, begin publickly to incorporate themselves for the subversion of nothing short of the *whole* constitution of this kingdom; to incorporate themselves for the utter overthrow of the body of its laws, civil and ecclesiastical, and with them of the whole system of its manners, in favour of the new constitution, and of the modern usages of

of the French nation, I think no party principle could bind the author not to express his sentiments strongly against such a faction. On the contrary, he was perhaps bound to mark his dissent, when the leaders of the party were daily going out of their way to make publick declarations in parliament, which, notwithstanding the purity of their intentions, had a tendency to encourage ill-designing men in their practices against our constitution.

The members of this faction leave no doubt of the nature and the extent of the mischief they mean to produce. They declare it openly and decisively. Their intentions are not left equivocal. They are put out of all dispute by the thanks which, formally and as it were officially, they issue, in order to recommend, and to promote the circulation of the most atrocious and treasonable libels against all the hitherto cherished objects of the love and veneration of this people. Is it contrary to the duty of a good subject, to reprobate such proceedings? Is it alien to the office of a good member of parliament, when such practices increase, and when the audacity of the conspirators grows with their impunity, to point out in his place their evil tendency to the happy constitution which he is chosen to guard? Is it wrong, in any sense, to render the people of England sensible how much they must suffer, if, unfortunately, such a wicked faction

should become possessed in this country of the same power which their allies in the very next to us have so perfidiously usurped, and so outrageously abused? Is it inhuman to prevent, if possible, the spilling *their* blood, or imprudent to guard against the effusion of *our own*? Is it contrary to any of the honest principles of party, or repugnant to any of the known duties of friendship, for any senator, respectfully, and amicably, to caution his brother members against countenancing, by inconsiderate expressions, a sort of proceeding which it is impossible they should deliberately approve?

He had undertaken to demonstrate by arguments, which he thought could not be refuted, and by documents, which he was sure could not be denied, that no comparison was to be made between the British government and the French usurpation.—That they who endeavoured madly to compare them, were by no means making the comparison of one good system with another good system, which varied only in local and circumstantial differences; much less, that they were holding out to us a superiour pattern of legal liberty, which we might substitute in the place of our old, and, as they described it, superannuated constitution. He meant to demonstrate, that the French scheme was not a comparative good, but a positive evil.—That the question did not at all turn,

as had been stated, on a parallel between a monarchy and a republick. He denied that the present scheme of things in France did at all deserve the respectable name of a republick : he had therefore no comparison between monarchies and republicks to make.—That what was done in France was a wild attempt to methodize anarchy ; to perpetuate and fix disorder. That it was a foul, impious, monstrous thing, wholly out of the course of moral nature. He undertook to prove, that it was generated in treachery, fraud, falsehood, hypocrisy, and unprovoked murder.—He offered to make out, that those who have led in that business had conducted themselves with the utmost perfidy to their colleagues in function, and with the most flagrant perjury both towards their king and their constituents ; to the one of whom the Assembly had sworn fealty, and to the other, when under no sort of violence or constraint, they had sworn a full obedience to instructions.—That, by the terroure of assassination, they had driven away a very great number of the members, so as to produce a false appearance of a majority. —That this fictitious majority had fabricated a constitution, which, as now it stands, is a tyranny far beyond any example that can be found in the civilized European world of our age ; that therefore the lovers of it must be lovers, not of liberty, but, if

G 3

they

they really understand its nature, of the lowest and basest of all servitude.

He proposed to prove, that the present state of things in France is not a transient evil, productive, as some have too favourably represented it, of a lasting good; but that the present evil is only the means of producing future, and (if that were possible) worse evils.—That it is not, an undigested, imperfect, and crude scheme of liberty, which may gradually be mellowed and ripened into an orderly and social freedom; but that it is so fundamentally wrong, as to be utterly incapable of correcting itself by any length of time, or of being formed into any mode of polity, of which a member of the house of commons could publicly declare his approbation.

If it had been permitted to Mr. Burke, he would have shewn distinctly, and in detail, that what the Assembly, calling itself National, had held out as a large and liberal toleration, is in reality a cruel and insidious religious persecution; infinitely more bitter than any which had been heard of within this century.—That it had a feature in it worse than the old persecutions.—That the old persecutors acted, or pretended to act, from zeal towards some system of piety and virtue: they gave strong preferences to their own; and if they drove people from one religion, they provided for
them

them another, in which men might take refuge and expect consolation.—That their new persecution is not against a variety in conscience, but against all conscience. That it professes contempt towards its object ; and whilst it treats all religion with scorn, is not so much as neutral about the modes : it unites the opposite evils of intolerance and of indifference.

He could have proved, that it is so far from rejecting tests (as unaccountably had been asserted) that the Assembly had imposed tests of a peculiar hardship, arising from a cruel and premeditated pecuniary fraud : tests against old principles, sanctioned by the laws, and binding upon the conscience.—That these tests were not imposed as titles to some new honour or some new benefit, but to enable men to hold a poor compensation for their legal estates, of which they had been unjustly deprived ; and, as they had before been reduced from affluence to indigence ; so, on refusal to swear against their conscience, they are now driven from indigence to famine, and treated with every possible degree of outrage, insult, and inhumanity.—That these tests, which their imposers well knew would not be taken, were intended for the very purpose of cheating their miserable victims out of the compensation which the tyrannick impostors of the Assembly had previously and purposely rendered

rendered the publick unable to pay. That thus their ultimate violence arose from their original fraud.

He would have shewn that the universal peace and concord amongst nations, which these common enemies to mankind had held out with the same fraudulent ends and pretences with which they had uniformly conducted every part of their proceeding, was a coarse and clumsy deception, unworthy to be proposed as an example, by an informed and sagacious British senator, to any other country.—That far from peace and goodwill to men, they meditated war against all other governments; and proposed systematically to excite in them all the very worst kind of seditions, in order to lead to their common destruction.—That they had discovered, in the few instances in which they have hitherto had the power of discovering it, (as at Avignon, and in the Comtat, at Cavaillon and at Carpentras) in what a savage manner they mean to conduct the seditions and wars they have planned against their neighbours, for the sake of putting themselves at the head of a confederation of republicks as wild and as mischievous as their own. He would have shewn in what manner that wicked scheme was carried on in those places, without being directly either owned or disclaimed, in hopes that the undone people should at length be obliged to fly to their tyrannick protection,

protection, as some sort of refuge from their barbarous and treacherous hostility. He would have shewn from those examples, that neither this nor any other society could be in safety as long as such a publick enemy was in a condition to continue directly or indirectly such practices against its peace. —That Great Britain was a principal object of their machinations; and that they had begun by establishing correspondences, communications, and a sort of federal union with the factious here. —That no practical enjoyment of a thing so imperfect and precarious as human happiness must be, even under the very best of governments, could be a security for the existence of these governments, during the prevalence of the principles of France, propagated from that grand school of every disorder, and every vice.

He was prepared to shew the madness of their declaration of the pretended rights of man; the childish futility of some of their maxims; the gross and stupid absurdity, and the palpable falsity of others; and the mischievous tendency of all such declarations to the well-being of men and of citizens, and to the safety and prosperity of every just commonwealth. He was prepared to shew that, in their conduct, the Assembly had directly violated not only every sound principle of government, but every one, without exception, of their own false or futile maxims; and indeed every
rule

rule they had pretended to lay down for their own direction.

In a word, he was ready to shew, that those who could, after such a full and fair exposure, continue to countenance the French insanity, were not mistaken politicians, but bad men; but he thought that in this case, as in many others, ignorance had been the cause of admiration.

These are strong assertions. They required strong proofs. The member who laid down these positions was and is ready to give, in his place, to each position decisive evidence, correspondent to the nature and quality of the several allegations.

In order to judge on the propriety of the interruption given to Mr. Burke, in his speech in the committee of the Quebec bill, it is necessary to inquire, first, whether, on general principles, he ought to have been suffered to prove his allegations? Secondly, whether the time he had chosen was so very unseasonable as to make his exercise of a parliamentary right productive of ill effects on his friends or his country? Thirdly, whether the opinions delivered in his book, and which he had begun to expatiate upon that day, were in contradiction to his former principles, and inconsistent with the general tenour of his publick conduct?

They, who have made eloquent panegyricks on the French Revolution, and who think a free discussion

discussion so very advantageous in every case, and under every circumstance, ought not, in my opinion to have prevented their eulogies from being tried on the test of facts. If their panegyrick had been answered with an invective (bating the difference in point of eloquence) the one would have been as good as the other: that is, they would both of them have been good for nothing. The panegyrick and the satire ought to be suffered to go to trial; and that which shrinks from it must be contented to stand, at best, as a mere declamation.

I do not think Mr. Burke was wrong in the course he took. That, which seemed to be recommended to him by Mr. Pitt, was rather to extol the English constitution, than to attack the French. I do not determine what would be best for Mr. Pitt to do in his situation. I do not deny that *he* may have good reasons for his reserve. Perhaps they might have been as good for a similar reserve on the part of Mr. Fox, if his zeal had suffered him to listen to them. But there were no motives of ministerial prudence, or of that prudence which ought to guide a man perhaps on the eve of being minister, to restrain the author of the *Reflections*. He is in no office under the Crown; he is not the organ of any party.

The excellencies of the British constitution had already exercised and exhausted the talents of the
best

best thinkers, and the most eloquent writers and speakers, that the world ever saw. But in the present case, a system declared to be far better, and which certainly is much newer (to restless and unstable minds no small recommendation) was held out to the admiration of the good people of England. In that case, it was surely proper for those, who had far other thoughts of the French constitution, to scrutinize that plan which has been recommended to our imitation by active and zealous factions, at home and abroad. Our complexion is such, that we are palled with enjoyment, and stimulated with hope; that we become less sensible to a long-possessed benefit, from the very circumstance that it is become habitual. Specious, untried, ambiguous prospects of new advantage, recommend themselves to the spirit of adventure, which more or less prevails in every mind. From this temper, men and factions, and nations too, have sacrificed the good, of which they had been in assured possession, in favour of wild and irrational expectations. What should hinder Mr. Burke, if he thought this temper likely, at one time or other, to prevail in our country, from exposing to a multitude, eager to game, the false calculations of this lottery of fraud?

I allow, as I ought to do, for the effusions which come from a *general* zeal for liberty. This
is

is to be indulged, and even to be encouraged, as long as the *question is general*. An orator, above all men, ought to be allowed a full and free use of the praise of liberty. A common place in favour of slavery and tyranny, delivered to a popular assembly, would indeed be a bold defiance to all the principles of rhetorick. But in a question whether any particular constitution is or is not a plan of rational liberty, this kind of rhetorical flourish in favour of freedom in general is surely a little out of its place. It is virtually a begging of the question. It is a song of triumph before the battle.

“ But Mr. Fox does not make the panegyrick
“ of the new constitution ; it is the destruction
“ only of the absolute monarchy he commends.”
When that nameless thing, which has been lately set up in France, was described as “ the most stupendous and glorious edifice of liberty, which
“ had been erected on the foundation of human
“ integrity in any time or country,” it might at first have led the hearer into an opinion, that the construction of the new fabrick was an object of admiration, as well as the demolition of the old. Mr. Fox, however, has explained himself ; and it would be too like that captious and cavilling spirit, which I so perfectly detest, if I were to pin down the language of an eloquent and ardent mind to the punctilious exactness of a pleader.

Then

Then Mr. Fox did not mean to applaud that monstrous thing, which, by the courtesy of France, they call a constitution. I easily believe it. Far from meriting the praises of a great genius like Mr. Fox, it cannot be approved by any man of common sense, or common information. He cannot admire the change of one piece of barbarism for another, and a worse. He cannot rejoice at the destruction of a monarchy, mitigated by manners, respectful to laws and usages, and attentive, perhaps but too attentive to publick opinion, in favour of the tyranny of a licentious, ferocious, and savage multitude, without laws, manners, or morals, and which, so far from respecting the general sense of mankind, insolently endeavours to alter all the principles and opinions, which have hitherto guided and contained the world, and to force them into a conformity to their views and actions. His mind is made to better things.

That a man should rejoice and triumph in the destruction of an absolute monarchy; that in such an event he should overlook the captivity, disgrace, and degradation of an unfortunate prince, and the continual danger to a life which exists only to be endangered; that he should overlook the utter ruin of whole orders and classes of men, extending itself directly, or in its nearest consequences, to at least a million of our kind, and to at least the temporary wretchedness of a whole community,

community, I do not deny to be in some sort natural : because when people see a political object, which they ardently desire, but in one point of view, they are apt extremely to palliate, or under-rate the evils which may arise in obtaining it. This is no reflection on the humanity of those persons. Their good nature I am the last man in the world to dispute. It only shews that they are not sufficiently informed, or sufficiently considerate. When they come to reflect seriously on the transaction, they will think themselves bound to examine what the object is that has been acquired by all this havock. They will hardly assert that the destruction of an absolute monarchy is a thing good in itself, without any sort of reference to the antecedent state of things, or to consequences which result from the change ; without any consideration whether under its ancient rule a country was to a considerable degree flourishing and populous, highly cultivated, and highly commercial ; and whether, under that domination, though personal liberty had been precarious and insecure, property at least was ever violated. They cannot take the moral sympathies of the human mind along with them, in abstractions separated from the good or evil condition of the state, from the quality of actions, and the character of the actors. None of us love absolute and uncontrolled monarchy ; but we could not rejoice at the sufferings
of

of a Marcus Aurelius, or a Trajan, who were absolute monarchs, as we do when Nero is condemned by the senate to be punished *more majorem* : nor, when that monster was obliged to fly with his wife Sporus, and to drink puddle, were men affected in the same manner, as when the venerable Galba, with all his faults and errors, was murdered by a revolted mercenary soldiery. With such things before our eyes, our feelings contradict our theories ; and when this is the case, the feelings are true, and the theory is false. What I contend for is, that in commending the destruction of an absolute monarchy, *all the circumstances* ought not to be wholly overlooked, as “ considerations fit only for shallow and superficial “ minds.”—The words of Mr. Fox, or to that effect.

The subversion of a government, to deserve any praise, must be considered but as a step preparatory to the formation of something better, either in the scheme of the government itself, or in the persons who administer it, or in both. These events cannot in reason be separated. For instance, when we praise our Revolution of 1688, though the nation, in that act was on the defensive, and was justified in incurring all the evils of a defensive war, we do not rest there. We always combine with the subversion of the old government, the happy settlement which followed. When we estimate that revolution, we mean to comprehend

in

in our calculation both the value of the thing parted with, and the value of the thing received in exchange.

The burthen of proof lies heavily on those who tear to pieces the whole frame and contexture of their country, that they could find no other way of settling a government fit to obtain its rational ends, except that which they have pursued by means unfavourable to all the present happiness of millions of people, and to the utter ruin of several hundreds of thousands. In their political arrangements, men have no right to put the well-being of the present generation wholly out of the question. Perhaps the only moral trust with any certainty in our hands, is the care of our own time. With regard to futurity, we are to treat it like a ward. We are not so to attempt an improvement of his fortune, as to put the capital of his estate to any hazard.

It is not worth our while to discuss, like sophisters, whether, in no case, some evil, for the sake of some benefit, is to be tolerated. Nothing universal can be rationally affirmed on any moral, or any political subject. Pure metaphysical abstraction does not belong to these matters. The lines of morality are not like ideal lines of mathematics. They are broad and deep as well as long. They admit of exceptions; they demand modifications. These exceptions and modifications

are not made by the process of logick, but by the rules of prudence. Prudence is not only the first in rank of the virtues political and moral, but she is the director, the regulator, the standard of them all. Metaphysicks cannot live without definition; but prudence is cautious how she defines. Our courts cannot be more fearful in suffering fictitious cases to be brought before them for eliciting their determination on a point of law, than prudent moralists are in putting extreme and hazardous cases of conscience upon emergencies not existing. Without attempting therefore to define, what never can be defined, the case of a revolution in government, this, I think, may be safely affirmed, that a sore and pressing evil is to be removed, and that a good, great in its amount, and unequivocal in its nature, must be probable almost to certainty, before the inestimable price of our own morals, and the well-being of a number of our fellow citizens, is paid for a revolution. If ever we ought to be economists even to parsimony, it is in the voluntary production of evil. Every revolution contains in it something of evil.

It must always be, to those who are the greatest amateurs, or even professors, of revolutions, a matter very hard to prove, that the late French government was so bad, that nothing worse in the infinite devices of men, could come in its place.

place. They who have brought France to its present condition ought to prove also, by something better than prattling about the Bastile, that their subverted government was as incapable as the present certainly is, of all improvement and correction. How dare they to say so who have never made that experiment? They are experimenters by their trade. They have made an hundred others, infinitely more hazardous.

The English admirers of the forty-eight thousand republicks which form the French federation, praise them not for what they are, but for what they are to become. They do not talk as politicians but as prophets. But in whatever character they choose to found panegyrick on prediction, it will be thought a little singular to praise any work, not for its own merits, but for the merits of something else which may succeed to it. When any political institution is praised, in spite of great and prominent faults of every kind, and in all its parts, it must be supposed to have something excellent in its fundamental principles. It must be shewn that it is right though imperfect; that it is not only by possibility susceptible of improvement, but that it contains in it a principle tending to its melioration.

Before they attempt to shew this progression of their favourite work, from absolute pravity to finished perfection, they will find themselves

engaged in a civil war with those whose cause they maintain. What! alter our sublime constitution, the glory of France, the envy of the world, the pattern for mankind, the masterpiece of legislation, the collected and concentrated glory of this enlightened age! Have we not produced it ready made and ready armed, mature in its birth, a perfect goddess of wisdom and of war, hammered by our blacksmith midwives out of the brain of Jupiter himself? Have we not sworn our devout, profane, believing infidel people, to an allegiance to this goddess, even before she had burst the *dura mater*, and as yet existed only in embryo? Have we not solemnly declared this constitution unalterable by any future legislature? Have we not bound it on posterity for ever, though our abettors have declared that no one generation is competent to bind another? Have we not obliged the members of every future assembly to qualify themselves for their seats by swearing to its conservation?

Indeed the French constitution always must be (if a change is not made in all their principles and fundamental arrangements) a government wholly by popular representation. It must be this or nothing. The French faction considers as an usurpation, as an atrocious violation of the indefeasible rights of man, every other description of government. Take it or leave it; there is no medium.

Let

Let the irrefragable doctors fight out their own controversy in their own way, and with their own weapons ; and when they are tired let them commence a treaty of peace. Let the plenipotentiary sophisters of England settle with the diplomattick sophisters of France in what manner right is to be corrected by an infusion of wrong, and how truth may be rendered more true by a due intermixture of falsehood.

Having sufficiently proved, that nothing could make it *generally* improper for Mr. Burke to prove what he had alleged concerning the object of this dispute, I pass to the second question, that is, whether he was justified in choosing the committee on the Quebec bill as the field for this discussion? If it were necessary, it might be shewn, that he was not the first to bring these discussions into parliament, nor the first to renew them in this session. The fact is notorious. As to the Quebec bill, they were introduced into the debate upon that subject for two plain reasons ; first, that as he thought it *then* not advisable to make the proceedings of the factious societies the subject of a direct motion, he had no other way open to him. Nobody has attempted to shew, that it was at all admissible into any other business before the house. Here every thing was favourable. Here was a bill to form a new constitution for a French province under English dominion. The question naturally

naturally arose, whether we should settle that constitution upon English ideas, or upon French. This furnished an opportunity for examining into the value of the French constitution, either considered as applicable to colonial government, or in its own nature. The bill too was in a committee. By the privilege of speaking as often as he pleased, he hoped in some measure to supply the want of support, which he had but too much reason to apprehend. In a committee it was always in his power to bring the questions from generalities to facts; from declamation to discussion. Some benefit he actually received from this privilege. These are plain, obvious, natural reasons for his conduct. I believe they are the true, and the only true ones.

They who justify the frequent interruptions, which at length wholly disabled him from proceeding, attribute their conduct to a very different interpretation of his motives. They say, that through corruption, or malice, or folly, he was acting his part in a plot to make his friend Mr. Fox pass for a republican; and thereby to prevent the gracious intentions of his sovereign from taking effect, which at that time had begun to disclose themselves in his favour*. This is a pretty serious

* To explain this, it will be necessary to advert to a paragraph which appeared in a paper in the minority interest some time

serious charge. This on Mr. Burke's part, would be something more than mistake; something worse than formal irregularity. Any contumely, any

time before this debate. "A very dark intrigue has lately been discovered, the authors of which are well known to us; but until the glorious day shall come, when it will not be a LIBEL to tell the TRUTH, we must not be so regardless of our own safety, as to publish their names. We will, however, state the fact, leaving it to the ingenuity of our readers to discover what we dare not publish.

"Since the business of the armament against Russia has been under discussion, a great personage has been heard to say, 'that he was not so wedded to Mr. PITT, as not to be very willing to give his confidence to Mr. Fox, if the latter should be able, in a crisis like the present, to conduct the government of the country with greater advantage to the publick.'

"This patriotick declaration immediately alarmed the swarm of courtly insects that live only in the sunshine of ministerial favour. It was thought to be the forerunner of the dismissal of Mr. Pitt, and every engine was set at work for the purpose of preventing such an event. The principal engine employed on this occasion was CALUMNY. It was whispered in the ear of a great personage, that Mr. Fox was the last man in England to be trusted by a KING, because he was by PRINCIPLE a REPUBLICAN, and consequently an enemy to MONARCHY.

"In the discussion of the Quebec bill which stood for yesterday, it was the intention of some persons to connect with this subject the French Revolution, in hopes that Mr. Fox would be warmed by a collision with Mr. Burke, and induced to defend that Revolution in which so much power was taken from, and so little left in the crown.

"Had

any outrage is readily passed over, by the indulgence which we all owe to sudden passion. These things are soon forgot upon occasions in which all men are so apt to forget themselves. Deliberate injuries, to a degree must be remembered, because they require deliberate precautions to be secured against their return.

I am authorized to say for Mr. Burke, that he considers that cause assigned for the outrage offered

“ Had Mr. Fox fallen into the snare, his speech on the
“ occasion would have been laid before a great personage, as
“ a proof that a man who could defend such a Revolution,
“ might be a very good republican, but could not possibly be
“ a friend to monarchy.

“ But those who laid the snare were disappointed ; for Mr.
“ Fox, in the short conversation which took place yesterday in
“ the house of commons, said, that he confessedly had thought
“ favourably of the French Revolution; but that most cer-
“ tainly he never had, either in parliament, or out of parlia-
“ ment professed or defended republican principles.”

Argus, April 22d, 1791.

Mr. Burke cannot answer for the truth, nor prove the falsehood of the story given by the friends of the party in this paper. He only knows that an opinion of its being well or ill authenticated had no influence on his conduct. He meant only, to the best of his power, to guard the publick against the ill designs of factions out of doors. What Mr. Burke did in parliament could hardly have been intended to draw Mr. Fox into any declarations unfavourable to his principles, since (by the account of those who are his friends) he had long before effectually prevented the success of any such scandalous designs. Mr. Fox's friends have themselves done away that imputation on Mr. Burke.

offered to him, as ten times worse than the outrage itself. There is such a strange confusion of ideas on this subject, that it is far more difficult to understand the nature of the charge, than to refute it when understood. Mr. Fox's friends were, it seems, seized with a sudden panick terror lest he should pass for a republican. I do not think they had any ground for this apprehension. But let us admit they had. What was there in the Quebec bill, rather than in any other, which could subject him or them to that imputation? Nothing in a discussion of the French constitution, which might arise on the Quebec bill, could tend to make Mr. Fox pass for a republican; except he should take occasion to extol that state of things in France, which affects to be a republick or a confederacy of republicks. If such an encomium could make any unfavourable impression on the king's mind, surely his voluntary panegyricks on that event, not so much introduced as intruded into other debates, with which they had little relation, must have produced that effect with much more certainty, and much greater force. The Quebec bill, at worst, was only one of those opportunities, carefully sought, and industriously improved by himself. Mr. Sheridan had already brought forth a panegyrick on the French system in a still higher strain, with full as little demand from the nature of the business before the house, in a speech too
good

good to be speedily forgotten. Mr. Fox followed him without any direct call from the subject matter, and upon the same ground. To canvass the merits of the French constitution on the Quebec bill; could not draw forth any opinions which were not brought forward before, with no small ostentation, and with very little of necessity, or perhaps of propriety. What mode, or what time, of discussing the conduct of the French faction in England would not equally tend to kindle this enthusiasm, and afford those occasions for panegyrick, which, far from shunning, Mr. Fox has always industriously sought? He himself said very truly, in the debate, that no artifices were necessary to draw from him his opinions upon that subject. But to fall upon Mr. Burke for making an use, at worst not more irregular, of the same liberty, is tantamount to a plain declaration, that the topick of France is *tabooed* or forbidden ground to Mr. Burke, and to Mr. Burke alone. But surely Mr. Fox is not a republican; and what should hinder him, when such a discussion came on, from clearing himself unequivocally (as his friends say he had done near a fortnight before) of all such imputations? Instead of being a disadvantage to him, he would have defeated all his enemies, and Mr. Burke, since he has thought proper to reckon him amongst them.

But it seems, some newspaper or other had
imputed

imputed to him republican principles, on occasion of his conduct upon the Quebec bill. Supposing Mr. Burke to have seen these newspapers (which is to suppose more than I believe to be true) I would ask, when did the newspapers forbear to charge Mr. Fox, or Mr. Burke himself, with republican principles, or any other principles which they thought could render both of them odious, sometimes to one description of people, sometimes to another? Mr. Burke, since the publication of his pamphlet, has been a thousand times charged in the newspapers with holding despotick principles. He could not enjoy one moment of domestic quiet, he could not perform the least particle of publick duty, if he did not altogether disregard the language of those libels. But however his sensibility might be affected by such abuse, it would in *him* have been thought a most ridiculous reason for shutting up the mouths of Mr. Fox or Mr. Sheridan, so as to prevent their delivering their sentiments of the French Revolution,—that forsooth, “the newspapers had lately charged Mr. Burke with being an enemy to liberty.”

I allow that those gentlemen have privileges to which Mr. Burke has no claim. But their friends ought to plead those privileges; and not to assign bad reasons, on the principle of what is fair between man and man, and thereby to put themselves on a level with those, who can so easily
refute

refute them. Let them say at once that his reputation is of no value, and that he has no call to assert it; but that theirs is of infinite concern to the party and the publick; and to that consideration he ought to sacrifice all his opinions, and all his feelings.

In that language I should hear a style correspondent to the proceeding; lofty, indeed, but plain and consistent. Admit, however, for a moment, and merely for argument, that this gentleman had as good a right to continue as they had to begin these discussions; in candour and equity they must allow that their voluntary descant in praise of the French constitution was as much an oblique attack on Mr. Burke, as Mr. Burke's inquiry into the foundation of this encomium could possibly be construed into an imputation upon them. They well knew, that he felt like other men; and of course he would think it mean and unworthy to decline asserting in his place, and in the front of able adversaries, the principles of what he had penned in his closet, and without an opponent before him. They could not but be convinced, that declamations of this kind would rouse him; that he must think, coming from men of their *calibre*, they were highly mischievous; that they gave countenance to bad men, and bad designs; and, though he was aware that the handling such matters in parliament was delicate, yet
he

he was a man very likely, whenever, much against his will, they were brought there, to resolve, that there they should be thoroughly sifted. Mr. Fox, early in the preceding session, had publick notice from Mr. Burke of the light in which he considered every attempt to introduce the example of France into the politicks of this country ; and of his resolution to break with his best friends, and to join with his worst enemies to prevent it. He hoped that no such necessity would ever exist. But in case it should, his determination was made. The party knew perfectly that he would at least defend himself. He never intended to attack Mr. Fox, nor did he attack him directly or indirectly. His speech kept to its matter. No personality was employed even in the remotest allusion. He never did impute to that gentleman any republican principles, or any other bad principles or bad conduct whatsoever. It was far from his words ; it was far from his heart. It must be remembered, that, notwithstanding the attempt of Mr. Fox to fix on Mr. Burke an unjustifiable change of opinion, and the foul crime of teaching a set of maxims to a boy, and afterwards, when these maxims became adult in his mature age, of abandoning both the disciple and the doctrine, Mr. Burke never attempted, in any one particular, either to criminate or to recriminate. It may be said, that he had nothing of the kind in his power. This he does not controvert.

controvert. He certainly had it not in his inclination. That gentleman had as little ground for the charges which he was so easily provoked to make upon him.

The gentlemen of the party (I include Mr. Fox) have been kind enough to consider the dispute brought on by this business, and the consequent separation of Mr. Burke from their corps, as a matter of regret and uneasiness. I cannot be of opinion, that by his exclusion they have had any loss at all. A man whose opinions are so very adverse to theirs, adverse, as it was expressed, "as pole to pole," so mischievously as well as so directly adverse, that they found themselves under the necessity of solemnly disclaiming them in full parliament, such a man must ever be to them a most unseemly and unprofitable incumbrance. A co-operation with him could only serve to embarrass them in all their councils. They have besides publicly represented him as a man capable of abusing the docility and confidence of ingenuous youth; and, for a bad reason, or for no reason, of disgracing his whole publick life by a scandalous contradiction of every one of his own acts, writings, and declarations. If these charges be true, their exclusion of such a person from their body is a circumstance which does equal honour to their justice and their prudence. If they express a degree of sensibility in being obliged to
execute

execute this wise and just sentence, from a consideration of some amiable or some pleasant qualities which in his private life their former friend may happen to possess, they add, to the praise of their wisdom and firmness, the merit of great tenderness of heart, and humanity of disposition.

On their ideas, the new Whig party have, in my opinion, acted as became them. The author of the Reflections, however, on his part, cannot, without great shame to himself, and without entailing everlasting disgrace on his posterity, admit the truth or justice of the charges which have been made upon him; or allow that he has in those Reflections discovered any principles to which honest men are bound to declare, not a shade or two of dissent, but a total fundamental opposition. He must believe, if he does not mean wilfully to abandon his cause and his reputation, that principles, fundamentally at variance with those of his book, are fundamentally false. What those principles, the antipodes to his, really are, he can only discover from their contrariety. He is very unwilling to suppose, that the doctrines of some books lately circulated are the principles of the party; though from the vehement declarations against his opinions, he is at some loss how to judge otherwise.

For the present, my plan does not render it necessary to say any thing further concerning the merits

merits either of the one set of opinions or the other. The author would have discussed the merits of both in his place, but he was not permitted to do so.

I pass to the next head of charge, Mr. Burke's inconsistency. It is certainly a great aggravation of his fault in embracing false opinions, that in doing so he is not supposed to fill up a void, but that he is guilty of a dereliction of opinions that are true and laudable. This is the great gist of the charge against him. It is not so much that he is wrong in his book (that however is alleged also) as that he has therein belied his whole life. I believe, if he could venture to value himself upon any thing, it is on the virtue of consistency that he would value himself the most. Strip him of this, and you leave him naked indeed.

In the case of any man who had written something, and spoken a great deal, upon very multifarious matter, during upwards of twenty-five years public service, and in as great a variety of important events as perhaps have ever happened in the same number of years, it would appear a little hard, in order to charge such a man with inconsistency, to see collected by his friend, a sort of digest of his sayings, even to such as were merely sportive and jocular. This digest, however, has been made, with equal pains and partiality, and without bringing out those passages of his
writings

writings which might tend to shew with what restrictions any expressions, quoted from him, ought to have been understood. From a great statesman he did not quite expect this mode of inquisition. If it only appeared in the works of common pamphleteers, Mr. Burke might safely trust to his reputation. When thus urged, he ought, perhaps, to do a little more. It shall be as little as possible, for I hope not much is wanting. To be totally silent on his charges would not be respectful to Mr. Fox. Accusations sometimes derive a weight from the persons who make them, to which they are not entitled for their matter.

He who thinks, that the British constitution ought to consist of the three members, of three very different natures, of which it does actually consist, and thinks it his duty to preserve each of those members in its proper place, and with its proper proportion of power, must (as each shall happen to be attacked) vindicate the three several parts on the several principles peculiarly belonging to them. He cannot assert the democrattick part on the principles on which monarchy is supported, nor can he support monarchy on the principles of democracy; nor can he maintain aristocracy on the grounds of the one or of the other, or of both. All these he must support on grounds that are totally different, though practically they may be, and happily with us they are, brought

VOL. VI. I into

into one harmonious body. A man could not be consistent in defending such various, and, at first view, discordant parts of a mixed constitution, without that sort of inconsistency with which Mr. Burke stands charged.

As any one of the great members of this constitution happens to be endangered, he that is a friend to all of them chooses and presses the topicks necessary for the support of the part attacked, with all the strength, the earnestness, the vehemence, with all the power of stating, of argument, and of colouring, which he happens to possess, and which the case demands. He is not to embarrass the minds of his hearers, or to incumber, or overlay his speech, by bringing into view at once (as if he were reading an academick lecture) all that may and ought, when a just occasion presents itself, to be said in favour of the other members. At that time they are out of the court; there is no question concerning them. Whilst he opposes his defence on the part where the attack is made, he presumes, that for his regard to the just rights of all the rest, he has credit in every candid mind. He ought not to apprehend, that his raising fences about popular privileges this day, will infer that he ought, on the next, to concur with those who would pull down the throne: because, on the next, he defends the throne, it ought not to be supposed that he has abandoned the rights of the people.

A man,

A man, who, among various objects of his equal regard, is secure of some, and full of anxiety for the fate of others, is apt to go to much greater lengths in his preference of the objects of his immediate solicitude than Mr. Burke has ever done. A man so circumstanced often seems to undervalue, to vilify, almost to reprobate and disown, those that are out of danger. This is the voice of nature and truth, and not of inconsistency and false pretence. The danger of any thing very dear to us removes, for the moment, every other affection from the mind. When Priam had his whole thoughts employed on the body of his Hector, he repels with indignation, and drives from him with a thousand reproaches, his surviving sons, who with an officious piety crowded about him to offer their assistance. A good critick (there is no better than Mr. Fox) would say, that this is a master-stroke, and marks a deep understanding of nature in the father of poetry. He would despise a Zoilus, who would conclude from this passage that Homer meant to represent this man of affliction as hating, or being indifferent and cold in his affections to the poor relicks of his house, or that he preferred a dead carcass to his living children.

Mr. Burke does not stand in need of an allowance of this kind, which, if he did, by candid criticks ought to be granted to him. If the principles of a mixed constitution be admitted, he

wants no more to justify to consistency every thing he has said and done during the course of a political life just touching to its close. . I believe that gentleman has kept himself more clear of running into the fashion of wild, visionary theories, or of seeking popularity through every means, than any man perhaps ever did in the same situation.

He was the first man who, on the hustings, at a popular election, rejected the authority of instructions from constituents: or who, in any place, has argued so fully against it. Perhaps the discredit into which that doctrine of compulsive instructions under our constitution is since fallen, may be due, in a great degree, to his opposing himself to it in that manner, and on that occasion.

The reformers in representation, and the bills for shortening the duration of parliaments, he uniformly and steadily opposed for many years together, in contradiction to many of his best friends. These friends, however, in his better days, when they had more to hope from his service and more to fear from his loss than now they have, never chose to find any inconsistency between his acts and expressions in favour of liberty, and his votes on those questions. But there is a time for all things.

Against the opinion of many friends, even against the solicitation of some of them, he
opposed

opposed those of the church clergy, who had petitioned the house of commons to be discharged from the subscription. Although he supported the dissenters in their petition for the indulgence which he had refused to the clergy of the established church ; in this, as he was not guilty of it, so he was not reproached with inconsistency. At the same time he promoted, and against the wish of several, the clause that gave the dissenting teachers another subscription in the place of that which was then taken away. Neither at that time was the reproach of inconsistency brought against him. People could then distinguish between a difference in conduct under a variation of circumstances, and an inconsistency in principle. It was not then thought necessary to be freed of him as of an incumbrance.

These instances, a few among many, are produced as an answer to the insinuation of his having pursued high popular courses, which in his late book he has abandoned. Perhaps in his whole life he has never omitted a fair occasion, with whatever risk to him of obloquy as an individual, with whatever detriment to his interest as a member of opposition, to assert the very same doctrines which appear in that book. He told the House, upon an important occasion, and pretty early in his service, that “ being warned by the ill effect of a contrary procedure in great
1 3 “ examples,

“ examples, he had taken his ideas of liberty very low ; in order that they should stick to him, and that he might stick to them to the end of his life.”

At popular elections the most rigorous casuists will remit a little of their severity. They will allow to a candidate some unqualified effusions in favour of freedom, without binding him to adhere to them in their utmost extent. But Mr. Burke put a more strict rule upon himself than most moralists would put upon others. At his first offering himself to Bristol, where he was almost sure he should not obtain, on that or any occasion, a single Tory vote, (in fact he did obtain but one) and rested wholly on the Whig interest, he thought himself bound to tell to the electors, both before and after his election, exactly what a representative they had to expect in him.

“ The *distinguishing* part of our constitution (he said) is its liberty. To preserve that liberty inviolate, is the *peculiar* duty and *proper* trust of a member of the house of commons. But the liberty, the *only* liberty I mean, is a liberty connected with *order*, and that not only exists *with* order and virtue, but cannot exist at all *without* them. It inheres in good and steady government, as in *its substance and vital principle*.”

The liberty to which Mr. Burke declared himself attached is not French liberty. That liberty is

is nothing but the rein given to vice and confusion. Mr. Burke was then, as he was at the writing of his *Reflections*, awfully impressed with the difficulties arising from the complex state of our constitution and our empire, and that it might require, in different emergencies, different sorts of exertions, and the successive call upon all the various principles which uphold and justify it. This will appear from what he said at the close of the poll.

“ To be a good member of parliament is, let
 “ me tell you, no easy task ; especially at this time,
 “ when there is so strong a disposition to run into
 “ the perilous extremes of *servile* compliance, or
 “ *wild popularity*. To unite circumspection with
 “ vigour, is absolutely necessary ; but it is ex-
 “ tremely difficult. We are now members for a
 “ rich commercial *city* ; this city, however, is but
 “ a part of a rich commercial *nation*, the interests
 “ of which are *various, multiform, and intricate*.
 “ We are members for that great *nation* which,
 “ however, is itself but a part of a great *empire*,
 “ extended by our virtue and our fortune to the
 “ farthest limits of the east and of the west. *All*
 “ these wide-spread interests must be *considered* ;
 “ must be *compared* ; must be *reconciled*, if possible.
 “ We are members for a *free* country ; and surely
 “ we all know that the machine of a free constitu-
 “ tion is no *simple* thing ; but as *intricate* and as

“ *delicate*, as it is valuable. We are members in a
“ *great and ancient MONARCHY ; and we must*
“ *preserve religiously the true legal rights of the*
“ *sovereign, which form the key-stone that binds*
“ *together the noble and well-constructed arch of*
“ *our empire and our constitution.* A constitution
“ made up of *balanced powers*, must ever be a cri-
“ tical thing. As such I mean to touch that part
“ of it which comes within my reach.”

In this manner Mr. Burke spoke to his constituents seventeen years ago. He spoke, not like a partisan of one particular member of our constitution, but as a person strongly, and on principle, attached to them all. He thought these great and essential members ought to be preserved, and preserved each in its place ; and that the monarchy ought not only to be secured in its peculiar existence, but in its pre-eminence too, as the presiding and connecting principle of the whole. Let it be considered, whether the language of his book, printed in 1790, differs from his speech at Bristol in 1774.

With equal justice his opinions on the American war are introduced, as if in his late work he had belied his conduct and opinions in the debates which arose upon that great event. On the American war he never had any opinions which he has seen occasion to retract, or which he has ever retracted. He indeed differs essentially from

Mr.

Mr. Fox as to the cause of that war. Mr. Fox has been pleased to say, that the Americans rebelled, "because they thought they had not enjoyed liberty enough." This cause of the war *from him* I have heard of for the first time. It is true that those who stimulated the nation to that measure, did frequently urge this topick. They contended, that the Americans had from the beginning aimed at independence; that from the beginning they meant wholly to throw off the authority of the crown, and to break their connexion with the parent country. This Mr. Burke never believed. When he moved his second conciliatory proposition in the year 1776, he entered into the discussion of this point at very great length; and, from nine several heads of presumption, endeavoured to prove the charge upon that people not to be true.

If the principles of all he has said and wrote on the occasion be viewed with common temper, the gentlemen of the party will perceive, that, on a supposition that the Americans had rebelled merely in order to enlarge their liberty, Mr. Burke would have thought very differently of the American cause. What might have been in the secret thoughts of some of their leaders it is impossible to say. As far as a man, so locked up as Dr. Franklin, could be expected to communicate his ideas, I believe he opened them to Mr. Burke. It was, I think, the very

very day before he set out for America, that a very long conversation passed between them, and with a greater air of openness on the doctor's side than Mr. Burke had observed in him before. In this discourse Dr. Franklin lamented, and with apparent sincerity, the separation which he feared was inevitable between Great Britain and her colonies. He certainly spoke of it as an event which gave him the greatest concern. America, he said, would never again see such happy days as she had passed under the protection of England. He observed, that ours was the only instance of a great empire, in which the most distant parts and members had been as well governed as the metropolis and its vicinage: but that the Americans were going to lose the means which secured to them this rare and precious advantage. The question with them was not whether they were to remain as they had been before the troubles, for better, he allowed, they could not hope to be; but whether they were to give up so happy a situation without a struggle? Mr. Burke had several other conversations with him about that time, in none of which, soured and exasperated as his mind certainly was, did he discover any other wish in favour of America than for a security to its *ancient* condition. Mr. Burke's conversation with other Americans was large indeed, and his inquiries extensive and diligent. Trusting to the result of all these

these means of information, but trusting much more in the publick presumptive indications I have just referred to, and to the reiterated, solemn declarations of their assemblies, he always firmly believed that they were purely on the defensive in that rebellion. He considered the Americans as standing at that time, and in that controversy, in the same relation to England, as England did to king James the Second, in 1688. He believed, that they had taken up arms from one motive only; that is, our attempting to tax them without their consent; to tax them for the purposes of maintaining civil and military establishments. If this attempt of ours could have been practically established, he thought, with them, that their assemblies would become totally useless; that, under the system of policy which was then pursued, the Americans could have no sort of security for their laws or liberties, or for any part of them; and that the very circumstance of *our* freedom would have augmented the weight of *their* slavery.

Considering the Americans on that defensive footing, he thought Great Britain ought instantly to have closed with them by the repeal of the taxing act. He was of opinion that our general rights over that country would have been preserved by this timely concession.* When, instead of this, a
Boston

* See his speech on American taxation, the 19th of April, 1774.

Boston port bill, a Massachuset's charter bill, a Fishery bill, an Intercourse bill, I know not how many hostile bills, rushed out like so many tempests from all points of the compass, and were accompanied first with great fleets and armies of English, and followed afterwards with great bodies of foreign troops, he thought that their cause grew daily better, because daily more defensive; and that ours, because daily more offensive, grew daily worse. He therefore, in two motions, in two successive years, proposed in parliament many concessions beyond what he had reason to think in the beginning of the troubles would ever be seriously demanded.

So circumstanced, he certainly never could and never did wish the colonists to be subdued by arms. He was fully persuaded, that if such should be the event, they must be held in that subdued state by a great body of standing forces, and perhaps of foreign forces. He was strongly of opinion that such armies, first victorious over Englishmen, in a conflict for English constitutional rights and privileges, and afterwards habituated (though in America) to keep an English people in a state of abject subjection, would prove fatal in the end to the liberties of England itself; that in the mean time this military system would lie as an oppressive burthen upon the national finances; that it would constantly breed and feed new
discussions,

discussions, full of heat and acrimony, leading possibly to a new series of wars ; and that foreign powers, whilst we continued in a state at once burthened and distracted, must at length obtain a decided superiority over us. On what part of his late publication, or on what expression that might have escaped him in that work, is any man authorized to charge Mr. Burke with a contradiction to the line of his conduct, and to the current of his doctrines on the American war ? The pamphlet is in the hands of his accusers, let them point out the passage if they can.

Indeed, the author has been well sifted and scrutinized by his friends. He is even called to an account for every jocular and light expression. A ludicrous picture, which he made with regard to a passage in the speech of a late minister,* has been brought up against him. That passage contained a lamentation for the loss of monarchy to the Americans, after they had separated from Great Britain. He thought it to be unseasonable, ill judged, and ill sorted with the circumstances of all the parties. Mr. Burke, it seems, considered it ridiculous to lament the loss of some monarch or other, to a rebel people, at the moment they had for ever quitted their allegiance to their and our sovereign ; at the time when they had broken off all connexion with this nation, and had allied

* Lord Lansdown.

themselves with its enemies. He certainly must have thought it open to ridicule: and, now that it is recalled to his memory, (he had, I believe, wholly forgotten the circumstance) he recollects that he did treat it with some levity. But is it a fair inference from a jest on this unseasonable lamentation, that he was then an enemy to monarchy either in this or in any other country? The contrary perhaps ought to be inferred, if any thing at all can be argued from pleasantries good or bad. Is it for this reason, or for any thing he has said or done relative to the American war, that he is to enter into an alliance offensive and defensive with every rebellion, in every country, under every circumstance, and raised upon whatever pretence? Is it because he did not wish the Americans to be subdued by arms, that he must be inconsistent with himself, if he reprobates the conduct of those societies in England, who alleging no one act of tyranny or oppression, and complaining of no hostile attempt against our ancient laws, rights, and usages, are now endeavouring to work the destruction of the crown of this kingdom, and the whole of its constitution? Is he obliged, from the concessions he wished to be made to the colonies, to keep any terms with those clubs and federations, who hold out to us as a pattern for imitation, the proceedings in France, in which a king, who had voluntarily and
formally

formally divested himself of the right of taxation, and of all other species of arbitrary power, has been dethroned?—Is it because Mr. Burke wished to have America rather conciliated than vanquished, that he must wish well to the army of republics which are set up in France; a country wherein not the people, but the monarch was wholly on the defensive (a poor, indeed, and feeble defensive) to preserve *some fragments* of the royal authority against a determined and desperate body of conspirators, whose object it was, with whatever certainty of crimes, with whatever hazard of war, and every other species of calamity, to annihilate the *whole* of that authority; to level all ranks, orders, and distinctions in the state; and utterly to destroy property, not more by their acts than in their principles?

Mr. Burke has been also reproached with an inconsistency between his late writings and his former conduct, because he had proposed in parliament several economical, leading to several constitutional reforms. Mr. Burke thought, with a majority of the house of commons, that the influence of the crown at one time was too great; but after his majesty had, by a gracious message, and several subsequent acts of parliament, reduced it to a standard which satisfied Mr. Fox himself, and, apparently at least, contented whoever wished to go farthest in that reduction, is Mr. Burke

to

to allow that it would be right for us to proceed to indefinite lengths upon that subject? that it would therefore be justifiable in a people owing allegiance to a monarchy, and professing to maintain it, not to *reduce*, but wholly to *take away all* prerogative, and *all* influence whatsoever?—Must his having made, in virtue of a plan of economical regulation, a reduction of the influence of the crown, compel him to allow, that it would be right in the French or in us to bring a king to so abject a state, as in function not to be so respectable as an under-sheriff, but in person not to differ from the condition of a mere prisoner? One would think that such a thing as a medium had never been heard of in the moral world.

This mode of arguing from your having done *any* thing in a certain line, to the necessity of doing *every* thing, has political consequences of other moment than those of a logical fallacy. If no man can propose any diminution or modification of an invidious or dangerous power or influence in government, without entitling friends turned into adversaries to argue him into the destruction of all prerogative, and to a spoliation of the whole patronage of royalty, I do not know what can more effectually deter persons of sober minds from engaging in any reform; nor how the worst enemies to the liberty of the subject could contrive any method more fit to bring all correctives on the
the

the power of the Crown into suspicion and dispute.

If, say his accusers, the dread of too great influence in the Crown of Great Britain could justify the degree of reform which he adopted, the dread of a return under the despotism of a monarchy might justify the people of France in going much further, and reducing monarchy to its present nothing. Mr. Burke does not allow that a sufficient argument *ad hominem* is inferable from these premises. If the horror of the excesses of an absolute monarchy furnishes a reason for abolishing it, no monarchy once absolute (all have been so at one period or other) could ever be limited. It must be destroyed; otherwise no way could be found to quiet the fears of those who were formerly subjected to that sway. But the principle of Mr. Burke's proceeding ought to lead him to a very different conclusion;—to this conclusion,—that a monarchy is a thing perfectly susceptible of reform: perfectly susceptible of a balance of power; and that, when reformed and balanced, for a great country, it is the best of all governments. The example of our country might have led France, as it has led him, to perceive that monarchy is not only reconcilable to liberty, but that it may be rendered a great and stable security to its perpetual enjoyment. No correctives which he proposed to the power of the Crown could lead him

to approve of a plan of a republick (if so it may be reputed) which has no correctives, and which he believes to be incapable of admitting any. No principle of Mr. Burke's conduct or writings obliged him, from consistency, to become an advocate for an exchange of mischiefs; no principle of his could compel him to justify the setting up in the place of a mitigated monarchy, a new and far more despotick power, under which there is no trace of liberty, except what appears in confusion and in crime.

Mr. Burke does not admit that the faction predominant in France have abolished their monarchy and the orders of their state, from any dread of arbitrary power that lay heavily on the minds of the people. It is not very long since he has been in that country. Whilst there he conversed with many descriptions of its inhabitants. A few persons of rank did, he allows, discover strong and manifest tokens of such a spirit of liberty, as might be expected one day to break all bounds. Such gentlemen have since had more reason to repent of their want of foresight than I hope any of the same class will ever have in this country. But this spirit was far from general even amongst the gentlemen. As to the lower orders and those a little above them, in whose name the present powers domineer, they were far from discovering any sort of dissatisfaction with the power and prerogatives

prerogatives of the Crown. That vain people were rather proud of them: they rather despised the English for not having a monarch possessed of such high and perfect authority. *They* had felt nothing from *Lettres de Cachet*. The Bastile could inspire no horrors into *them*. This was a treat for their betters. It was by art and impulse; it was by the sinister use made of a season of scarcity; it was under an infinitely diversified succession of wicked pretences, wholly foreign to the question of monarchy or aristocracy, that this light people were inspired with their present spirit of levelling. Their old vanity was led by art to take another turn: It was dazzled and seduced by military liveries, cockades, and epaulets; until the French populace was led to become the willing, but still the proud and thoughtless instrument and victim of another domination. Neither did that people despise, or hate, or fear their nobility. On the contrary, they valued themselves on the generous qualities which distinguished the chiefs of their nation.

So far as to the attack on Mr. Burke, in consequence of his reforms.

To shew that he has in his last publication abandoned those principles of liberty which have given energy to his youth, and in spite of his censors will afford repose and consolation to his declining age, those, who have thought proper in

parliament to declare against his book, ought to have produced something in it, which directly or indirectly militates with any rational plan of free government. It is something extraordinary, that they, whose memories have so well served them with regard to light and ludicrous expressions which years had consigned to oblivion, should not have been able to quote a single passage in a piece so lately published, which contradicts any thing he has formerly ever said in a style either ludicrous or serious. They quote his former speeches, and his former votes, but not one syllable from the book. It is only by a collation of the one with the other that the alleged inconsistency can be established. But as they are unable to cite any such contradictory passage, so neither can they shew any thing in the general tendency and spirit of the whole work unfavourable to a rational and generous spirit of liberty ; unless a warm opposition to the spirit of levelling, to the spirit of impiety, to the spirit of proscription, plunder, murder and cannibalism, be adverse to the true principles of freedom.

The author of that book is supposed to have passed from extreme to extreme ; but he has always kept himself in a medium. This charge is not so wonderful. It is in the nature of things, that they who are in the centre of a circle should appear directly opposed to those who view them
from

from any part of the circumference. In that middle point, however, he will still remain, though he may hear people who themselves run beyond Aurora and the Ganges, cry out, that he is at the extremity of the west.

In the same debate Mr. Burke was represented by Mr. Fox as arguing in a manner which implied that the British constitution could not be defended, but by abusing all republicks ancient and modern. He said nothing to give the least ground for such a censure. He never abused all republicks. He has never professed himself a friend or an enemy to republicks or to monarchies in the abstract. He thought that the circumstances and habits of every country, which it is always perilous and productive of the greatest calamities to force, are to decide upon the form of its government. There is nothing in his nature, his temper, or his faculties, which should make him an enemy to any republick modern or ancient. Far from it. He has studied the form and spirit of republicks very early in life; he has studied them with great attention; and with a mind undisturbed by affection or prejudice. He is indeed convinced that the science of government would be poorly cultivated without that study. But the result in his mind from that investigation has been, and is, that neither England nor France, without infinite detriment to them, as well in the event as in the

K 3

experiment,

experiment, could be brought into a republican form ; but that every thing republican which can be introduced with safety into either of them, must be built upon a monarchy ; built upon a real, not a nominal monarchy, *as its essential basis* ; that all such institutions, whether aristocratick or democratick, must originate from their crown, and in all their proceedings must refer to it ; that by the energy of that main spring alone those republican parts must be set in action, and from thence must derive their whole legal effect, (as amongst us they actually do) or the whole will fall into confusion. These republican members have no other point but the crown in which they can possibly unite.

This is the opinion expressed in Mr. Burke's book. He has never varied in that opinion since he came to years of discretion. But surely, if at any time of his life he had entertained other notions, (which however he has never held or professed to hold) the horrible calamities brought upon a great people, by the wild attempt to force their country into a republick, might be more than sufficient to undeceive his understanding, and to free it for ever from such destructive fancies. He is certain, that many, even in France, have been made sick of their theories by their very success in realizing them.

To fortify the imputation of a desertion from
his

his principles, his constant attempts to reform abuses have been brought forward. It is true, it has been the business of his strength to reform abuses in government; and his last feeble efforts are employed in a struggle against them. Politically he has lived in that element; politically he will die in it. Before he departs, I will admit for him that he deserves to have all his titles of merit brought forth, as they have been, for grounds of condemnation, if one word, justifying or supporting abuses of any sort, is to be found in that book which has kindled so much indignation in the mind of a great man. On the contrary, it spares no existing abuse. Its very purpose is to make war with abuses; not, indeed, to make war with the dead, but with those which live, and flourish, and reign.

The *purpose*, for which the abuses of government are brought into view, forms a very material consideration in the mode of treating them. The complaints of a friend are things very different from the invectives of an enemy. The charge of abuses on the late monarchy of France was not intended to lead to its reformation, but to justify its destruction. They, who have raked into all history for the faults of kings, and who have aggravated every fault they have found, have acted consistently; because they acted as enemies. No man can be a friend to a tempered monarchy

who bears a decided hatred to monarchy itself. He, who, at the present time, is favourable, or even fair to that system, must act towards it as towards a friend with frailties, who is under the prosecution of implacable foes. I think it a duty, in that case, not to inflame the publick mind against the obnoxious person, by any exaggeration of his faults. It is our duty rather to palliate his errors and defects, or to cast them into the shade, and industriously to bring forward any good qualities that he may happen to possess. But when the man is to be amended, and by amendment to be preserved, then the line of duty takes another direction. When his safety is effectually provided for, it then becomes the office of a friend to urge his faults and vices with all the energy of enlightened affection, to paint them in their most vivid colours, and to bring the moral patient to a better habit. Thus I think with regard to individuals ; thus I think with regard to ancient and respected governments and orders of men. A spirit of reformation is never more consistent with itself, than when it refuses to be rendered the means of destruction.

I suppose that enough is said upon these heads of accusation. One more I had nearly forgotten, but I shall soon dispatch it. The author of the *Reflections*, in the opening of the last parliament, entered on the Journals of the House of Commons

a motion

a motion for a remonstrance to the Crown, which is substantially a defence of the preceding parliament, that had been dissolved under displeasure. It is a defence of Mr. Fox. It is a defence of the Whigs. By what connexion of argument, by what association of ideas, this apology for Mr. Fox and his party is, by him and them, brought to criminate his and their apologist, I cannot easily divine. It is true, that Mr. Burke received no previous encouragement from Mr. Fox, nor any the least countenance or support, at the time when the motion was made, from him or from any gentleman of the party ; one only excepted, from whose friendship, on that and on other occasions, he derives an honour to which he must be dull indeed to be insensible*. If that remonstrance therefore was a false or feeble defence of the measures of the party, they were in no wise affected by it. It stands on the Journals. This secures to it a permanence which the author cannot expect to any other work of his. Let it speak for itself to the present age, and to all posterity. The party had no concern in it ; and it can never be quoted against them. But in the late debate it was produced, not to clear the party from an improper defence in which they had no share, but for the kind purpose of insinuating an inconsistency between the principles of Mr. Burke's defence of

* Mr. Windham.

the dissolved parliament, and those on which he preceded in his late Reflections on France.

It requires great ingenuity to make out such a parallel between the two cases, as to found a charge of inconsistency in the principles assumed in arguing the one and the other. What relation had Mr. Fox's India bill to the constitution of France? What relation had that constitution of the question of right, in a house of commons, to give or to withhold its confidence from ministers, and to state that opinion to the Crown? What had this discussion to do with Mr. Burke's ideas in 1784, of the ill consequences which must in the end arise to the Crown from setting up the commons at large as an opposite interest to the commons in parliament? What has this discussion to do with a recorded warning to the people of their rashly forming a precipitate judgment against their representatives? What had Mr. Burke's opinion of the danger of introducing new theoretick language, unknown to the records of the kingdom, and calculated to excite vexatious questions, into a parliamentary proceeding, to do with the French assembly, which defies all precedent, and places its whole glory in realizing what had been thought the most visionary theories? What had this in common with the abolition of the French monarchy, or with the principles upon which the English Revolution was justified; a revolution in
which

which parliament, in all its acts and all its declarations, religiously adheres to “the form of sound words,” without excluding from private discussions such terms of art as may serve to conduct an inquiry for which none but private persons are responsible? These were the topicks of Mr. Burke’s proposed remonstrance; all of which topicks suppose the existence and mutual relation of our three estates; as well as the relation of the East India Company to the Crown, to parliament, and to the peculiar laws, rights, and usages, of the people of Hindostan. What reference, I say, had these topicks to the constitution of France; in which there is no king, no lords, no commons, no India company to injure or support, no Indian empire to govern or oppress? What relation had all or any of these, or any question which could arise between the prerogatives of the Crown and the privileges of parliament, with the censure of those factious persons in Great Britain, whom Mr. Burke states to be engaged, not in favour of privilege against prerogative, or of prerogative against privilege, but in an open attempt against our Crown and our parliament; against our constitution in church and state; against all the parts and orders which compose the one and the other?

No persons were more fiercely active against Mr. Fox, and against the measures of the house of commons dissolved in 1784, which Mr. Burke defends

defends in that remonstrance, than several of those revolution-makers, whom Mr. Burke condemns alike in his remonstrance, and in his book. These revolutionists indeed may be well thought to vary in their conduct. He is, however, far from accusing them, in this variation, of the smallest degree of inconsistency. He is persuaded, that they are totally indifferent at which end they begin the demolition of the constitution.—Some are for commencing their operations with the destruction of the civil powers, in order the better to pull down the ecclesiastical ; some wish to begin with the ecclesiastical in order to facilitate the ruin of the civil ; some would destroy the house of commons through the Crown ; some the Crown through the house of commons ; and some would overturn both the one and the other through what they call the people. But I believe that this injured writer will think it not at all inconsistent with his present duty, or with his former life, strenuously to oppose all the various partisans of destruction, let them begin where, or when, or how they will. No man would set his face more determinedly against those who should attempt to deprive them, or any description of men, of the rights they possess. No man would be more steady in preventing them from abusing those rights to the destruction of that happy order under which they enjoy them. As to their title to any thing further, it
ought

ought to be grounded on the proof they give of the safety with which power may be trusted in their hands. When they attempt without disguise, not to win it from our affections, but to force it from our fears, they shew, in the character of their means of obtaining it, the use they would make of their dominion. That writer is too well read in men not to know how often the desire and design of a tyrannick domination lurks in the claim of an extravagant liberty. Perhaps in the beginning it *always* displays itself in that manner. No man has ever affected power which he did not hope from the favour of the existing government, in any other mode.

The attacks on the author's consistency relative to France are (however grievous they may be to his feelings) in a great degree external to him and to us, and comparatively of little moment to the people of England. The substantial charge upon him is concerning his doctrines relative to the revolution of 1688. Here it is, that they who speak in the name of the party have thought proper to censure him the most loudly, and with the greatest asperity. Here they fasten; and, if they are right in their fact, with sufficient judgment in their selection. If he be guilty in this point he is equally blamable, whether he is consistent or not. If he endeavours to delude his countrymen by a false representation of the spirit of that leading event,
and

and of the true nature and tenure of the government formed in consequence of it, he is deeply responsible ; he is an enemy to the free constitution of the kingdom. But he is not guilty in any sense. I maintain that in his Reflections he has stated the Revolution and the Settlement upon their true principles of legal reason and constitutional policy.

His authorities are the acts and declarations of parliament given in their proper words. So far as these go, nothing can be added to what he has quoted. The question is, whether he has understood them rightly. I think they speak plainly enough. But we must now see whether he proceeds with other authority than his own constructions ; and if he does, on what sort of authority he proceeds. In this part, his defence will not be made by argument, but by wager of law. He takes his compurgators, his vouchers, his guarantees, along with him. I know, that he will not be satisfied with a justification proceeding on general reasons of policy. He must be defended on party grounds too ; or his cause is not so tenable as I wish it to appear. It must be made out for him, not only, that, in his construction of these publick acts and monuments, he conforms himself to the rules of fair, legal, and logical interpretation ; but it must be proved that his construction is in perfect harmony with that of the ancient whigs,

whigs, to whom, against the sentence of the moderns, on his part, I here appeal.

This July, it will be twenty-six years* since he became connected with a man whose memory will ever be precious to Englishmen of all parties, as long as the ideas of honour and virtue, publick and private, are understood and cherished in this nation. That memory will be kept alive with particular veneration by all rational and honourable whigs. Mr. Burke entered into a connexion with that party, through that man, at an age, far from raw and immature; at those years when men are all they are ever likely to become; when he was in the prime and vigour of his life; when the powers of his understanding, according to their standard, were at the best; his memory exercised; his judgment formed; and his reading, much fresher in the recollection, and much readier in the application, than now it is. He was at that time as likely as most men to know what were whig and what were tory principles. He was in a situation to discern what sort of whig principles they entertained with whom it was his wish to form an eternal connexion. Foolish he would have been at that time of life (more foolish than any man who undertakes a publick trust would be thought) to adhere to a cause, which he, amongst

July 17th, 1765.

all

all those who were engaged in it, had the least sanguine hopes of a road to power.

There are who remember, that on the removal of the Whigs in the year 1766, he was as free to choose another connexion as any man in the kingdom. To put himself out of the way of the negotiations which were then carrying on very eagerly, and through many channels, with the Earl of Chatham, he went to Ireland very soon after the change of ministry, and did not return until the meeting of parliament. He was at that time free from any thing which looked like an engagement. He was further free at the desire of his friends; for, the very day of his return, the Marquis of Rockingham wished him to accept an employment under the new system. He believes he might have had such a situation; but again he cheerfully took his fate with the party.

It would be a serious imputation upon the prudence of my friend, to have made even such trivial sacrifices as it was in his power to make, for principles which he did not truly embrace, or did not perfectly understand. In either case the folly would have been great. The question now is, whether, when he first practically professed whig principles, he understood what principles he professed; and whether, in his book, he has faithfully expressed them.

When

When he entered into the whig party, he did not conceive that they pretended to any discoveries. They did not affect to be better whigs than those were who lived in the days in which principle was put to the test. Some of the whigs of those days were then living. They were what the whigs had been at the Revolution: what they had been during the reign of queen Anne; what they had been at the accession of the present royal family.

What they were at those periods is to be seen. It rarely happens to a party to have the opportunity of a clear, authentick, recorded declaration of their political tenets upon the subject of a great constitutional event like that of the Revolution. The whigs had that opportunity, or, to speak more properly, they made it. The impeachment of Dr. Sacheverel was undertaken by a whig ministry and a whig house of commons, and carried on before a prevalent and steady majority of whig peers. It was carried on for the express purpose of stating the true grounds and principles of the Revolution; what the commons emphatically called their *foundation*. It was carried on for the purpose of condemning the principles on which the Revolution was first opposed, and afterwards calumniated, in order, by a juridical sentence of the highest authority, to confirm and fix whig principles, as they had operated both in the resistance

to king James, and in the subsequent Settlement ; and to fix them in the extent and with the limitations with which it was meant they should be understood by posterity. The ministers and managers for the commons were persons who had, many of them, an active share in the Revolution. Most of them had seen it at an age capable of reflection. The grand event, and all the discussions which led to it, and followed it, were then alive in the memory and conversation of all men. The managers for the commons must be supposed to have spoken on that subject the prevalent ideas of the leading party in the commons, and of the whig ministry. Undoubtedly they spoke also their own private opinions ; and the private opinions of such men are not without weight. They were not *umbratiles doctores*, men who had studied a free constitution only in its anatomy, and upon dead systems. They knew it alive and in action.

In this proceeding, the whig principles, as applied to the Revolution and Settlement, are to be found, or they are to be found no where. I wish the whig readers of this appeal first to turn to Mr. Burke's Reflections from page 49 to page 81 ; and then to attend to the following extracts from the trial of Dr. Sacheverel. After this, they will consider two things ; first, whether the doctrine in Mr. Burke's Reflections be consonant to that of the whigs of that period , and, secondly, whether

whether they choose to abandon the principles which belonged to the progenitors of some of them, and to the predecessors of them all, and to learn new principles of whiggism, imported from France, and disseminated in this country from dissenting pulpits, from federation societies, and from the pamphlets, which (as containing the political creed of those synods) are industriously circulated in all parts of the two kingdoms. This is their affair, and they will make their option.

These new whigs hold, that the sovereignty, whether exercised by one or many, did not only originate *from* the people (a position not denied nor worth denying or assenting to) but that, in the people the same sovereignty constantly and unalienably resides ; that the people may lawfully depose kings, not only for misconduct, but without any misconduct at all ; that they may set up any new fashion of government for themselves, or continue without any government at their pleasure ; that the people are essentially their own rule, and their will the measure of their conduct ; that the tenure of magistracy is not a proper subject of contract ; because magistrates have duties, but no rights ; and that if a contract *de facto* is made with them in one age, allowing that it binds at all, it only binds those who are immediately concerned in it, but does not pass to posterity. These doctrines concerning the *people* (a term which they

are far from accurately defining, but by which, from many circumstances, it is plain enough they mean their own faction, if they should grow by early arming, by treachery, or violence, into the prevailing force) tend, in my opinion, to the utter subversion, not only of all government, in all modes, and to all stable securities to rational freedom, but to all the rules and principles of morality itself.

I assert, that the ancient whigs held doctrines, totally different from those I have last mentioned. I assert, that the foundations laid down by the commons, on the trial of Dr. Sacheverel, for justifying the Revolution of 1688, are the very same laid down in Mr. Burke's Reflections; that is to say,—a breach of the *original contract*, implied and expressed in the constitution of this country, as a scheme of government fundamentally and inviolably fixed in king, lords, and commons.—That the fundamental subversion of this ancient constitution, by one of its parts, having been attempted, and in effect accomplished, justified the Revolution. That it was justified *only* upon the *necessity* of the case; as the *only* means left for the recovery of that *ancient* constitution, formed by the *original contract* of the British state; as well as for the future preservation of the *same* government. These are the points to be proved.

A general opening to the charge against Dr.
Sacheverel

Sacheverel was made by the attorney-general, Sir John Montague : but as there is nothing in that opening speech which tends very accurately to settle the principle upon which the whigs proceeded in the prosecution (the plan of the speech not requiring it) I proceed to that of Mr. Lechmere, the manager, who spoke next after him. The following are extracts, given, not in the exact order in which they stand in the printed trial, but in that which is thought most fit to bring the ideas of the whig commons distinctly under our view.

MR. LECHMERE*.

‘ It becomes an *indispensable* duty upon us, who appear in the name and on the behalf of all the commons of Great Britain, not only to demand your lordships justice on such a criminal [Dr. Sacheverel] *but clearly and openly to assert our foundations.*’ — — —

‘ The nature of our constitution is that of a *limited monarchy*; wherein the supreme power is communicated and divided between queen, lords, and commons; though the executive power and administration be wholly in the Crown. The terms of such a constitution do not only suppose,

That the terms of our constitution imply and express an original contract.

* State Trials, vol. v. p. 651.

That the contract is mutual consent, and binding at all times upon the parties.

The mixed constitution uniformly preserved for many ages, and is a proof of the contract.

Laws the common measure to king and subject.

Case of fundamental injury, and breach of original contract.

Words necessary means selected with caution,

‘ but express, an original contract between the Crown and the people ; by which that supreme power was (by mutual consent, and not by accident) limited and lodged in more hands than one. And *the uniform preservation of such a constitution for so many ages, without any fundamental change, demonstrates to your lordships the continuance of the same contract.*’ — — —

‘ The consequences of such a frame of government are obvious. That the *laws* are the rule to both ; the common measure of the power of the Crown, and of the obedience of the subject ; and if the executive part endeavours the *subversion and total destruction of the government*, the original contract is thereby broke, and the right of allegiance ceases ; that part of the government, thus *fundamentally* injured, hath a right to save or recover *that* constitution in which it had an original interest.’ — — —

‘ The *necessary means* (which is the phrase used by the commons in their first article) are words made choice of by them *with the greatest caution*. Those means are described (in the preamble to their charge) to be, that glorious enterprise, which his late Majesty undertook, with an armed force, to deliver this kingdom from popery and arbitrary power ; the concurrence of many subjects of the realm, who came over with him in that enterprise, and of many others of *all*

‘ *ranks*

‘ *ranks and orders*, who appeared in arms in many parts of the kingdom in aid of that enterprise.

‘ These were the *means* that brought about the Revolution ; and which the act that passed soon after, *declaring the rights and liberties of the subject, and settling the succession of the Crown*, intends, when his late majesty is therein called the *glorious instrument of delivering the kingdom* ; and which the commons, in the last part of their first article, express by the word *resistance*.

‘ But the commons, who will never be unmind-
ful of the *allegiance* of the subjects to the *Crown* of this realm, judged it highly incumbent upon them, out of regard to the *safety of her majesty’s person and government, and the ancient and legal constitution of this kingdom*, to call that resistance the *necessary means* ; thereby plainly founding that power, right, and resistance, which was exercised by the people at the time of the happy Revolution, and which the duties of *self-preservation* and religion called them to, *upon the NECESSITY of the case, and at the same time effectually securing her majesty’s government, and the due allegiance of all her subjects.*’ — — —

‘ The nature of such an *original contract* of government proves, that there is not only a power in the people, who have *inherited this freedom*, to assert their own title to it ; but they are bound

Regard of the commons to their allegiance to the crown, and to the ancient constitution.

All ages have the same interest in preservation of the contract, and the same constitution.

‘ in duty to transmit the *same* constitution to their
‘ posterity also.’

* * * * *

Mr. Lechmere made a second speech. Notwithstanding the clear and satisfactory manner in which he delivered himself in his first, upon this arduous question, he thinks himself bound again distinctly to assert the same foundation ; and to justify the Revolution on the *case of necessity only*, upon principles perfectly coinciding with those laid down in Mr. Burke’s letter on the French affairs.

MR. LECHMERE.

The commons strictly confine their ideas of a revolution to necessity alone and self-defence.

‘ Your lordships were acquainted, in opening
‘ the charge, with how *great caution*, and with
‘ what unfeigned regard to her majesty and her
‘ government, and the *duty and allegiance* of her
‘ subjects, the commons made use of the words
‘ *necessary means*, to express the resistance that was
‘ made use of to bring about the Revolution, and
‘ with the condemning of which the doctor is
‘ charged by this article; not doubting but that the
‘ honour and justice of that resistance, *from the*
‘ *necessity of that case, and to which alone we have*
‘ *strictly*

' *strictly confined ourselves, when duly considered,*
 ' *would confirm and strengthen †, and be under-* † N. B. The
 ' *stood to be an effectual security for an allegiance* remark im-
 ' *of the subject to the Crown of this realm, in every* plies, that
 ' *other case where there is not the same necessity ;* allegiance
 ' *and that the right of the people to self-defence,* would be
 ' *and preservation of their liberties, by resistance* insecure
 ' *as their last remedy, is the result of a case of* without
 ' *such necessity only, and by which the original* this restric-
 ' *contract between king and people is broke.* tion.
 ' *This was the principle laid down and carried*
 ' *through all that was said with respect to alle-*
 ' *giance ; and on which foundation, in the name*
 ' *and on the behalf of all the commons of Great*
 ' *Britain, we assert and justify that resistance by*
 ' *which the late happy Revolution was brought*
 ' *about.* — — —

' It appears to your lordships and the world,
 ' that *breaking the original contract between*
 ' *king and people,* were the words made choice of
 ' by that house of commons, [the house of commons
 ' which originated the Declaration of Right,] with
 ' the *greatest deliberation and judgment,* and ap-
 ' proved of by your lordships, in that first and fun-
 ' damental step towards the *re-establishment of*
 ' *the government,* which had received so great a
 ' shock from the evil counsels which had been
 ' given to that unfortunate prince.'

* * * * *

Sir

Sir John Hawles, another of the managers follows the steps of his brethren, positively affirming the doctrine of non-resistance to government to be the general, moral, religious, and political rule for the subject; and justifying the Revolution on the same principle with Mr. Burke, that is, *as an exception from necessity*.—Indeed he carries the doctrine on the general idea of non-resistance much further than Mr. Burke has done; and full as far as it can perhaps be supported by any duty of *perfect obligation*; however noble and heroick it may be in many cases to suffer death rather than disturb the tranquillity of our country.

SIR JOHN HAWLES*.

‘ Certainly it must be granted, that the doctrine
 ‘ that commands obedience to the supreme power,
 ‘ *though in things contrary to nature*, even to suf-
 ‘ fer death, which is the highest injustice that can
 ‘ be done a man, rather than make an opposition to
 ‘ the supreme power [is reasonable;]† because the
 ‘ death of one, or some few private persons is a

* Page 676.

† The words necessary to the completion of the sentence are wanting in the printed trial—but the construction of the sentence, as well as the foregoing part of the speech, justifies the insertion of some such supplemental words as the above.

‘ less

‘ less evil than *disturbing the whole government* ;
‘ that law must needs be understood to forbid the
‘ doing or saying any thing to disturb the govern-
‘ ment ; the rather because the obeying that law
‘ cannot be pretended to be against nature : and
‘ the doctor’s refusing to obey that implicit law,
‘ is the reason for which he is now prosecuted ;
‘ though he would have it believed, that the rea-
‘ son he is now prosecuted, was for the doctrine
‘ he asserted of obedience to the supreme power ;
‘ which he might have preached as long as he had
‘ pleased, and the commons would have taken no
‘ offence at it, if he had stopped there, and not
‘ have taken upon him, on that pretence or occa-
‘ sion, to have cast odious colours upon the Revo-
‘ lution.’

* * * * *

General Stanhope was among the managers :
He begins his speech by a reference to the opinion
of his fellow managers, which he hoped had put
beyond all doubt the limits and qualifications that
the commons had placed to their doctrines con-
cerning the Revolution ; yet, not satisfied with this
general reference, after condemning the principle
of non-resistance, which is asserted in the sermon
without any exception, and stating, that, under
the specious pretence of preaching a peaceable
doctrine,

doctrine, Sacheverel and the jacobites meant, in reality, to excite a rebellion in favour of the pretender, he explicitly limits his ideas of resistance and the boundaries laid down by his colleagues, and by Mr. Burke.

GENERAL STANHOPE.

Rights of
the subject
and the
crown
equally
legal.

‘ The constitution of England is founded upon
‘ *compact*; and the subjects of this kingdom have,
‘ in their several publick and private capacities, *as*
‘ legal a title to what are their rights by law, *as* a
‘ prince to the possession of his crown.

Justice of
resistance
founded on
necessity.

‘ Your lordships, and most that hear me, are
‘ witnesses, and must remember the *necessities* of
‘ those times which brought about the Revolution:
‘ that *no other* remedy was left to preserve our re-
‘ ligious and liberties; *that resistance was neces-*
‘ sary, *and consequently just.*’ — — —

‘ Had the doctor, in the remaining part of his
‘ sermon, preached up peace, quietness, and the
‘ like; and shewn how happy we are under her
‘ majesty’s administration, and exhorted obedience
‘ to it; he had never been called to answer a charge
‘ at your lordships bar. But the tenor of all his
‘ subsequent discourse is one continued invective
‘ against the government.

* * * * *

Mr.

Mr. Walpole (afterwards Sir Robert) was one of the managers on this occasion. He was an honourable man and a sound whig. He was not, as the jacobites and discontented whigs of his time have represented him, and as ill-informed people still represent him, a prodigal and corrupt minister. They charged him, in their libels and seditious conversations, with having first reduced corruption to a system. Such was their cant. But he was far from governing by corruption. He governed by party attachments. The charge of systematick corruption is less applicable to him, perhaps, than to any minister who ever served the Crown for so great a length of time. He gained over very few from the opposition. Without being a genius of the first class, he was an intelligent, prudent, and safe minister. He loved peace; and he helped to communicate the same disposition to nations at least as warlike and restless as that in which he had the chief direction of affairs. Though he served a master who was fond of martial fame, he kept all the establishments very low. The land tax continued at two shillings in the pound for the greater part of his administration. The other impositions were moderate. The profound repose, the equal liberty, the firm protection of just laws during the long period of his power, were the principal causes of that prosperity which afterwards took such rapid strides towards perfection;

perfection; and which furnished to this nation ability to acquire the military glory which it has since obtained, as well as to bear the burthens, the cause and consequence of that warlike reputation. With many virtues, public and private, he had his faults; but his faults were superficial. A careless, coarse, and over familiar style of discourse, without sufficient regard to persons or occasions, and an almost total want of political decorum, were the errors by which he was most hurt in the publick opinion; and those through which his enemies obtained the greatest advantage over him. But justice must be done. The prudence, steadiness, and vigilance of that man, joined to the greatest possible lenity in his character and his politicks, preserved the crown to this royal family; and with it, their laws and liberties to this country. Walpole had no other plan of defence for the Revolution, than that of the other managers, and of Mr. Burke; and he gives full as little countenance to any arbitrary attempts, on the part of restless and factious men, for framing new governments according to their fancies.

MR. WALPOLE.

Case of resistance out of the law, and the highest offence.

‘ Resistance is no where enacted to be legal, but subjected, by all the laws now in being, to the greatest penalties. It is what is not, cannot, nor ought

‘ ought ever to be described, or affirmed in any
 ‘ positive law, to be excusable : when, and upon
 ‘ what *never-to-be-expected* occasions, it may be ex-
 ‘ ercised, no man can foresee ; *and it ought never*
 ‘ *to be thought of, but when an utter subversion of*
 ‘ *the laws of the realm threatens the whole frame*
 ‘ *of our constitution, and no redress can other-*
 ‘ *wise be hoped for.* It therefore does, and *ought for*
 ‘ *ever*, to stand, in the eye and letter of the law, as
 ‘ the *highest offence*. But because any man, or
 ‘ party of men, may not, out of folly or wantonness,
 ‘ commit treason, or make their own discontents,
 ‘ ill principles, or disguised affections to another in-
 ‘ terest, a pretence to resist the supreme power,
 ‘ will it follow from thence that the *utmost neces-* Utmost ne-
 ‘ *sity* ought not to engage a nation *in its own* cessity
 ‘ *defence for the preservation of the whole?* justifies it.

* * * * *

Sir Joseph Jekyl was, as I have always heard and believed, as nearly as an individual could be, the very standard of whig principles in his age. He was a learned, and an able man ; full of honour, integrity, and publick spirit ; no lover of innovation ; nor disposed to change his solid principles for the giddy fashion of the hour. Let us hear this whig.

SIR

SIR JOSEPH JEKYL.

Commons
do not state
the limits of
submission.

‘ In clearing up and vindicating the justice of
‘ the Revolution, which was the second thing pro-
‘ posed, it is far from the intent of the commons
‘ to state the *limits and bounds* of the subjects sub-
‘ mission to the sovereign. That which the law
‘ hath been wisely silent in, the commons desire to
‘ be silent in too ; nor will they put *any* case of a
‘ justifiable resistance, but that of the Revolution
‘ only ; and *they persuade themselves that the*
‘ *doing right to that resistance will be so far from*
‘ *promoting popular license or confusion, that it*
‘ *will have a contrary effect, and be a means of*
‘ *settling mens minds in the love of, and venera-*
‘ *tion for, the laws ;* to rescue and secure which,
‘ was the **ONLY** aim and intention of those con-
‘ cerned in resistance.’

To secure
the laws,
the only
aim of the
Revolution.

* * * * *

Dr. Sacheverel's counsel defended him on this principle, namely—that whilst he enforced from the pulpit the general doctrine of non-resistance, he was not obliged to take notice of the theoretick limits which ought to modify that doctrine. Sir Joseph Jekyl, in his reply, whilst he controverts its application to the doctor's defence, fully admits
and

and even enforces the principle itself, and supports the Revolution of 1688, as he and all the managers had done before, exactly upon the same grounds on which Mr. Burke has built, in his *Reflections on the French Revolution*.

SIR JOSEPH JEKYL.

‘ If the Doctor had pretended to have stated the particular bounds and limits of non-resistance, and told the people in what cases they might, or might not resist, *he would have been much to blame*; nor was one word said in the articles, or by the managers, as if that was expected from him: but, *on the contrary, we have insisted, that in NO case can resistance be lawful, but in case of extreme necessity; and where the constitution cannot otherwise be preserved; and such necessity ought to be plain and obvious to the sense and judgment of the whole nation; and this was the case at the Revolution.*’

Blamable
to state the
bounds of
non-resistance.

Resistance
lawful only
in case of
extreme
and obvious
necessity.

* * * * *

The counsel for Doctor Sacheverel, in defending their client, were driven in reality to abandon the fundamental principles of his doctrine, and to confess, that an exception to the general doctrine

of passive obedience and non-resistance did exist in the case of the Revolution. This the managers for the commons considered as having gained their cause; as their having obtained *the whole* of what they contended for. They congratulated themselves and the nation on a civil victory, as glorious and as honourable as any that had been obtained in arms during that reign of triumphs.

Sir Joseph Jekyl, in his reply to Harcourt, and the other great men who conducted the cause for the tory side, spoke in the following memorable terms, distinctly stating the whole of what the whig house of commons contended for, in the name of all their constituents:—

SIR JOSEPH JEKYL.

Necessity
creates an
exception,
and the
Revolution
a case of
necessity,
the utmost
extent of
the demand
of the Com-
mons.

‘ My lords, the concessions [the concessions of Sacheverel’s counsel] are these:—That *necessity* creates an *exception* to the general rule of submission to the prince;—that such exception is understood or implied in the laws that require such submission;—and that *the case of the Revolution was a case of necessity*.

‘ These are concessions *so ample*, and do so *fully* answer the drift of the commons in this article, and are to *the utmost extent of their meaning in it*, that I can’t forbear congratulating them upon
‘ this

‘ this success of their impeachment; that in full
 ‘ parliament, this erroneous doctrine of *unlimited*
 ‘ non-resistance is given up and disclaimed. And
 ‘ may it not, in after ages, be an addition to the
 ‘ glories of this bright reign, that so many of those
 ‘ who are honoured with being in her majesty’s
 ‘ service have been at your lordships bar, thus
 ‘ successfully contending for the *national* rights of
 ‘ her people, and proving they are not precarious
 ‘ or remediless?

‘ But to return to these concessions; I must
 ‘ appeal to your lordships, whether they are not
 ‘ a *total departure* from the Doctor’s answer.’

* * * * *

I now proceed to shew that the whig managers for the commons meant to preserve the government on a firm foundation, by asserting the perpetual validity of the settlement then made, and its coercive power upon posterity. I mean to shew that they gave no sort of countenance to any doctrine tending to impress the *people*, taken separately from the legislature which includes the Crown, with an idea that *they* had acquired a moral or civil competence to alter (without breach of the original compact on the part of the king) the succession to the crown, at their pleasure: much less that they had acquired any right, in the case

of such an event as caused the Revolution, to set up any new form of government. The author of the Reflections, I believe, thought that no man of common understanding could oppose to this doctrine, the ordinary sovereign power as declared in the act of queen Anne. That is, that the kings or queens of the realm, with the consent of parliament, are competent to regulate and to settle the succession of the Crown. This power is and ever was inherent in the supreme sovereignty; and was not, as the political divines vainly talk, acquired by the Revolution. It is declared in the old statute of queen Elizabeth. Such a power must reside in the complete sovereignty of every kingdom; and it is in fact exercised in all of them. But this right of *competence* in the legislature, not in the people, is by the legislature itself to be exercised with *sound discretion*; that is to say, it is to be exercised or not, in conformity to the fundamental principles of this government; to the rules of moral obligation; and to the faith of pacts, either contained in the nature of the transaction, or entered into by the body corporate of the kingdom; which body, in juridical construction, never dies; and in fact never loses its members at once by death.

Whether this doctrine is reconcilable to the modern philosophy of government, I believe the author neither knows nor cares; as he has little respect

respect for any of that sort of philosophy. This may be because his capacity and knowledge do not reach to it. If such be the case, he cannot be blamed, if he acts on the sense of that incapacity ; he cannot be blamed, if in the most arduous and critical questions which can possibly arise, and which affect to the quick the vital parts of our constitution, he takes the side which leans most to safety and settlement ; that he is resolved not “ to be wise beyond what is written ” in the legislative record and practice ; that when doubts arise on them, he endeavours to interpret one statute by another ; and to reconcile them all to established recognised morals, and to the general, ancient, known policy of the laws of England. Two things are equally evident, the first is, that the legislature possesses the power of regulating the succession of the Crown ; the second, that in the exercise of that right it has uniformly acted as if under the *restraints* which the author has stated. That author makes what the ancients call *mos majorum*, not indeed his sole, but certainly his principal rule of policy, to guide his judgment in whatever regards our laws. Uniformity and analogy can be preserved in them by this process only. That point being fixed, and laying fast hold of a strong bottom, our speculations may swing in all directions, without publick detriment, because they will ride with sure anchorage.

In this manner these things have been always considered by our ancestors. There are some indeed who have the art of turning the very acts of parliament which were made for securing the hereditary succession in the present royal family, by rendering it penal to doubt of the validity of those acts of parliament, into an instrument for defeating all their ends and purposes: but upon grounds so very foolish, that it is not worth while to take further notice of such sophistry.

To prevent any unnecessary subdivision, I shall here put together what may be necessary to shew the perfect agreement of the whigs with Mr. Burke, in his assertions, that the Revolution made no “ essential change in the constitution of the
“ monarchy, or in any of its ancient, sound, and
“ legal principles; that the succession was settled
“ in the Hanover family, upon the idea, and in
“ the mode of an hereditary succession qualified
“ with Protestantism; that it was not settled upon
“ *elective* principles, in any sense of the word *elective*, or under any modification or description
“ of *election* whatsoever; but, on the contrary,
“ that the nation, after the Revolution, renewed
“ by a fresh compact the spirit of the original
“ compact of the state, binding itself, *both in its*
“ *existing members and all its posterity*, to adhere
“ to the settlement of an hereditary succession in
“ the Protestant line, drawn from James the First,
“ as the stock of inheritance.”

SIR JOHN HAWLES.

‘ If he [Dr. Sacheverel] is of the opinion he
 ‘ pretends, I cannot imagine how it comes to pass,
 ‘ that he that pays that deference to the supreme
 ‘ power has preached so directly contrary to the
 ‘ determinations of the supreme power in this
 ‘ government; he very well knowing that the
 ‘ lawfulness of the Revolution, and of the means
 ‘ whereby it was brought about, has already been
 ‘ determined by the aforesaid acts of parliament:
 ‘ and do it in the worst manner he could invent.
 ‘ *For questioning the right to the Crown here in*
 ‘ *England has procured the shedding of more*
 ‘ *blood, and caused more slaughter, than all the*
 ‘ *other matters, tending to disturbances in the go-*
 ‘ *vernment, put together.* If, therefore, the doc-
 ‘ trine which the apostles had laid down, was only
 ‘ to continue the peace of the world, as thinking
 ‘ the death of some few particular persons better
 ‘ to be borne with than a civil war; sure it is the
 ‘ highest breach of that law to question the first
 ‘ principles of this government.’

Necessity of
 settling the
 right of the
 crown, and
 submission
 to the set-
 tlement.

‘ If the Doctor had been contented with the
 ‘ liberty he took of preaching up the duty of pas-
 ‘ sive obedience, in the most extensive manner he
 ‘ had thought fit, and would have stopped there,
 ‘ your lordships would not have had the trouble,

‘ in relation to him, that you now have; but it is
 ‘ plain that he preached up his absolute and un-
 ‘ conditional obedience, not *to continue the peace*
 ‘ *and tranquillity of this nation, but to set the sub-*
 ‘ *jects at strife, and to raise a war in the bowels of*
 ‘ *this nation*; and it is for *this* that he is now pro-
 ‘ secuted; though he would fain have it believed
 ‘ that the prosecution was for preaching the peace-
 ‘ able doctrine of absolute obedience.’

* * * * *

SIR JOSEPH JEKYL.

Whole
frame of
govern-
ment re-
stored un-
hurt, on the
Revolution.

The whole tenor of the administration, then
 ‘ in being, was agreed by all to be *a total depar-*
 ‘ *ture from the constitution.* The nation was at
 ‘ that time united in that opinion, all but the cri-
 ‘ minal part of it. And as the nation joined in the
 ‘ judgment of their disease, so they did in the re-
 ‘ medy. *They saw there was no remedy left but*
 ‘ *the last*; and when that remedy took place, *the*
 ‘ *whole frame of the government was restored en-*
 ‘ *tire and unhurt.** This shewed the excellent
 ‘ temper

* ‘ What we did was, in truth and substance and in a con-
 ‘ stitutional light, a revolution, not made, but prevented. We
 ‘ took solid securities; we settled doubtful questions; we cor-
 ‘ rected anomalies in our law. In the stable, fundamental parts
 ‘ of

‘temper the nation was in at that time, that, after
 ‘such provocations from an abuse of the regal
 ‘power, and such a convulsion, *no one part of the*
 ‘*constitution was altered, or suffered the least*
 ‘*damage: but, on the contrary, the whole re-*
 ‘*ceived new life and vigour.*’

* * * * *

The tory counsel for Dr. Sacheverel having insinuated, that a great and essential alteration in the constitution had been wrought by the Revolution, Sir Joseph Jekyl is so strong on this point, that he takes fire even at the insinuation of his being of such an opinion.

SIR JOSEPH JEKYL.

‘If the Doctor instructed his counsel to in-
 ‘sinuate that there was *any innovation in the*
 ‘*constitution*’

No innova-
 tion at the
 Revolution.
 tion.

‘of our constitution, we made no revolution; no, nor any
 ‘alteration at all. We did not impair the monarchy. Per-
 ‘haps it might be shewn that we strengthened it very consi-
 ‘derably. The nation kept the same ranks, the same orders,
 ‘the same privileges, the same franchises, the same rules for
 ‘property, the same subordinations, the same order in the
 ‘law, in the revenue, and in the magistracy; the same lords,
 ‘the same commons, the same corporations, the same elec-
 ‘tors.’ *Mr. Burke’s speech in the house of commons, 9th Fe-*
bruary 1790. It appears how exactly he coincides in every
 thing with Sir Joseph Jekyl.

‘ constitution wrought by the Revolution, it is an
 ‘ addition to his crime. The Revolution did not
 ‘ introduce any innovation; it was a restoration
 ‘ of the ancient fundamental constitution of the
 ‘ kingdom, and giving it its proper force and
 ‘ energy.’

* * * * *

The solicitor general, Sir Robert Eyre, distinguishes expressly the case of the Revolution, and its principles, from a proceeding at pleasure, on the part of the people, to change their ancient constitution, and to frame a new government for themselves. He distinguishes it with the same care from the principles of regicide, and republicanism, and the sorts of resistance condemned by the doctrines of the church of England, and, which ought to be condemned by the doctrines of all churches professing Christianity.

MR. SOLICITOR GENERAL, SIR ROBERT EYRE.

Revolution
no prece-
dent for vo-
luntary
cancel in
allegiance.

‘ The resistance at the Revolution, which was
 ‘ founded in *unavoidable necessity*, could be no de-
 ‘ fence to a man that was attacked *for asserting*
 ‘ *that the people might cancel their allegiance at*
 ‘ *pleasure, or dethrone and murder their sove-*
 ‘ *reign by a judiciary sentence.* For it can never
 ‘ be inferred from the lawfulness of resistance, at
 ‘ a time

‘ a time when *a total subversion of the govern-*
 ‘ *ment both in church and state was intended,*
 ‘ that a people may take up arms, and *call their so-*
 ‘ *vereign to account at pleasure*; and, therefore,
 ‘ since *the Revolution could be of no service in giv-*
 ‘ *ing the least colour for asserting any such wicked*
 ‘ *principle,* the doctor could never intend to put it
 ‘ into the mouths of those new preachers, and new
 ‘ politicians, for a defence; unless it be his opinion,
 ‘ that the resistance at the Revolution can bear any
 ‘ parallel with the *execrable murder of the royal* Revolution
 ‘ *martyr, so justly detested by the whole nation.* not like the
 case of
 Charles the
 First.

‘ It is plain that the Doctor is not impeached
 ‘ for preaching a general doctrine, and enforcing
 ‘ the general duty of obedience, but for preaching
 ‘ against an *excepted case after he has stated the*
 ‘ *exception.* He is not impeached for preaching the
 ‘ general doctrine of obedience, and the utter ille-
 ‘ gality of resistance upon any pretence whatso-
 ‘ ever; but because, having first laid down the
 ‘ general doctrine as true, without any exception,
 ‘ *he states the excepted case,* the Revolution, in
 ‘ express terms, as an objection; and then assum-
 ‘ ing the consideration of that excepted case, de-
 ‘ nies there was any resistance in the Revolution;
 ‘ and asserts, that to impute resistance to the Revo-
 ‘ lution, would cast black and odious colours upon
 ‘ it. This is not preaching the doctrine of non-
 ‘ resistance, in the *general* terms used by the
 ‘ homilies,

Sacheverell's doctrine intended to bring an odium on the Revolution.

True defence of the Revolution on absolute necessity.

‘ homilies, and the fathers of the church, where
 ‘ cases of necessity may be *understood to be excepted*
 ‘ *by a tacit implication, as the counsel have allowed ;*
 ‘ but is preaching directly against the resistance
 ‘ at the Revolution, which, in the course of this de-
 ‘ bate, has been all along admitted to *be necessary*
 ‘ *and just*, and can have no other meaning than to
 ‘ bring a dishonour upon the Revolution, and an
 ‘ odium upon those great and illustrious persons,
 ‘ *those friends to the monarchy and the church,*
 ‘ *that assisted in bringing it about.* For had the
 ‘ doctor intended any thing else, he would have
 ‘ treated the case of the Revolution in a different
 ‘ manner, and have given *it the true and fair*
 ‘ *answer ;* he would have said, that the resistance
 ‘ at the Revolution was *of absolute necessity, and*
 ‘ *the only means left to revive the constitution ;*
 ‘ *and must therefore be taken as an excepted case,*
 ‘ and could never come within the reach and in-
 ‘ tention of the general doctrine of the church.

‘ Your lordships take notice on what grounds
 ‘ the Doctor continues to assert the same position
 ‘ in his answer. But is it not most evident, that
 ‘ the general exhortations to be met with in the
 ‘ homilies of the church of England, and such like
 ‘ declarations in the statutes of the kingdom, are
 ‘ meant only as rules for the civil obedience of the
 ‘ subject to the legal administration of the supreme
 ‘ power in *ordinary cases ?* And it is equally
 ‘ absurd,

‘ absurd, to construe any words in a positive law to
 ‘ authorize the destruction of the whole, as to ex-
 ‘ pect that king, lords, and commons should, in
 ‘ express terms of law, declare *such an ultimate re-*
 ‘ *sort as the right of resistance, at a time when the*
 ‘ *case supposes that the force of all laws is ceased**.

‘ The commons must always resent, with the Commons
 ‘ utmost detestation and abhorrence, every posi- abhor
 ‘ tion that may shake the authority of that act of whatever
 ‘ parliament, whereby the crown is settled upon shakes the
 ‘ her majesty, *and whereby the lords spiritual and submission*
 ‘ *temporal and commons do, in the name of all the of posterity*
 ‘ *people of England, most humbly and faithfully to the*
 ‘ *submit themselves, their heirs and posterities, to settlement*
 ‘ *her majesty, which this general principle of abso- of the*
 ‘ *lute non-resistance must certainly shake.* crown.

‘ For, if the resistance at the Revolution was
 ‘ illegal, the Revolution settled in usurpation, and
 ‘ this act can have no greater force and authority,
 ‘ than an act passed under an usurper.

‘ And the commons take leave to observe, that
 ‘ the authority of the parliamentary settlement is
 ‘ a matter of the greatest consequence to maintain,
 ‘ in a case where the hereditary right to the crown
 ‘ is contested.

‘ It appears by the several instances mentioned
 ‘ in the act declaring the rights and liberties of the
 ‘ subject, and settling the succession of the crown,

* See Reflections, p. 121-2-3.

‘ that

‘ that at the time of the Revolution there was a
‘ *total subversion of the constitution of govern-*
‘ *ment both in church and state, which is a case*
‘ *that the laws of England could never suppose,*
‘ *provide for, or have in view.*’

• * * * * *

Sir Joseph Jekyl, so often quoted, considered the preservation of the monarchy, and of the rights and prerogatives of the Crown, as essential objects with all sound whigs ; and that they were bound, not only to maintain them when injured or invaded, but to exert themselves as much for their re-establishment, if they should happen to be overthrown by popular fury, as any of their own more immediate and popular rights and privileges, if the latter should be at any time subverted by the Crown. For this reason he puts the cases of the *Revolution* and the *Restoration*, exactly upon the same footing. He plainly marks, that it was the object of all honest men, not to sacrifice one part of the constitution to another ; and much more, not to sacrifice any of them to visionary theories of the rights of man ; but to preserve our whole inheritance in the constitution, in all its members and all its relations, entire, and unimpaired, from generation to generation. In this Mr. Burke exactly agrees with him.

SIR JOSEPH JEKYL.

‘ Nothing is plainer than that the people have a
 ‘ right to the laws and the constitution. This right
 ‘ the nation hath asserted, and recovered out of
 ‘ the hands of those who had dispossessed them of
 ‘ it at several times. There are of this *two famous*
instances in the knowledge of the present age ; I
 ‘ mean that of the *Restoration*, and that of the *Re-*
volution ; in both of these great events were the
 ‘ *regal power*, and the *rights of the people* reco-
 ‘ vered. And it is *hard to say in which the people*
 ‘ *have the greatest interest ; for the commons are*
 ‘ *sensible that there is not one legal power be-*
 ‘ *longing to the Crown, but they have an interest*
 ‘ *in it ; and I doubt not but they will always be*
 ‘ *as careful to support the rights of the Crown*
 ‘ *as their own privileges.*’

What are
the rights of
the people.

Restoration
and Revo-
lution.

People
have
an equal
interest in
the legal
rights of
the crown
and of their
own.

The other whig managers regarded (as he did) the overturning of the monarchy by a republican faction with the very same horror and detestation, with which they regarded the destruction of the privileges of the people by an arbitrary monarch.

MR. LECHMERE,

Speaking of our constitution, states it as ‘ a con-
 ‘ stitution which happily recovered itself, at the
 ‘ Restoration,

Constitu-
tion reco-
vered at the
Restoration
and Revo-
lution.

‘ Restoration, from the confusions and disorders
‘ which *the horrid and detestable proceedings of*
‘ *faction and usurpation had thrown it into,*
‘ and which, after many convulsions and struggles,
‘ was providentially saved at the late happy Revo-
‘ lution ; and, by the many good laws passed since
‘ that time, stands now upon a firmer foundation :
‘ together with the most comfortable prospect of
‘ *security to all posterity,* by the settlement of the
‘ crown in the protestant line.’

* * * * *

I mean now to shew that the whigs, (if Sir Joseph Jekyl was one) and if he spoke in conformity to the sense of the whig house of commons and the whig ministry who employed him, did carefully guard against any presumption that might arise from the repeal of the non-resistance oath of Charles the Second, as if, at the Revolution, the ancient principles of our government were at all changed—or that republican doctrines were countenanced—or any sanction given to seditious proceedings upon general undefined ideas of misconduct—or for changing the form of government—or for resistance upon any other ground than the *necessity* so often mentioned for the purpose of self-preservation. It will shew still more clearly the equal care of the then whigs, to prevent either the
regal

regal power from being swallowed up on pretence of popular rights, or the popular rights from being destroyed on pretence of regal prerogatives.

SIR JOSEPH JEKYL.

‘ Further, I desire it may be considered, that
 ‘ these legislators [the legislators who framed the
 ‘ non-resistance oath of Charles the Second] were
 ‘ guarding against the consequences of those *per-
 ‘ nicious and antimonarchical principles, which
 ‘ had been broached a little before in this nation;*
 ‘ and those large declarations in favour of *non-
 ‘ resistance* were made to encounter or obviate the
 ‘ *mischief* of those principles; as appears by the
 ‘ preamble to the fullest of those acts, which is the
 ‘ *militia act*, in the 13th and 14th of king Charles
 ‘ the Second. The words of that act are these:
 ‘ *And during the late usurped governments, many*
 ‘ *evil and rebellious principles have been instilled*
 ‘ *into the minds of the people of this kingdom,*
 ‘ *which may break forth, unless prevented, to the*
 ‘ *disturbance of the peace and quiet thereof: Be*
 ‘ *it therefore enacted, &c.* Here your lordships
 ‘ may see the reason that inclined those legislators
 ‘ to express themselves in such a manner against
 ‘ resistance. *They had seen the regal rights swal-*
 ‘ *lowed up under the pretence of popular ones;*
 ‘ and it is no imputation on them that they did

Mischief of
broaching
antimonar-
chical prin-
ciples.

Two cases
of resist-
ance, one
to preserve
the crown,
the other
the rights
of the
subject.

‘ not then foresee a *quite different case*, as was
 ‘ that of the Revolution; where, under the pretence
 ‘ of regal authority, a total subversion of the rights
 ‘ of the subject was advanced, and in a manner
 ‘ effected. And this may serve to shew, that it
 ‘ was not the design of those legislators to con-
 ‘ demn resistance, in a case of *absolute necessity*,
 ‘ for preserving the constitution, when they were
 ‘ guarding against principles which had so lately
 ‘ destroyed it.

Non-resist-
 ance oath
 not repeal-
 ed, because
 (with the
 restriction
 of necessity)
 it was
 false, but to
 prevent
 false inter-
 pretations.

‘ As to the truth of the doctrine in this declara-
 ‘ tion which was repealed, *I will admit it to be as*
 ‘ *true as the doctor’s counsel assert it; that is,*
 ‘ *with an exception of cases of necessity*; and it was
 ‘ not repealed because it was false *understanding*
 ‘ *it with that restriction*; but it was repealed be-
 ‘ cause it might be interpreted in an *unconfined*
 ‘ *sense, and exclusive of that restriction*; and, be-
 ‘ ing so understood, would reflect on the justice
 ‘ of the Revolution: and this the legislature had at
 ‘ heart, and were very jealous of; and, by this repeal
 ‘ of that declaration, gave a parliamentary or legis-
 ‘ lative admonition, against asserting this doctrine
 ‘ of non-resistance in an *unlimited sense*.’ — —

General
 doctrine of
 non-resist-
 ance godly
 and whole-
 some; not
 bound to
 state *expli-*
citly the ex-
 ceptions.

‘ Though the general doctrine of non-resistance,
 ‘ the doctrine of the church of England, as stated
 ‘ in her homilies or elsewhere delivered, by which
 ‘ the general duty of subjects to the higher powers
 ‘ is taught, be owned to be, as unquestionably it
 ‘ is,

‘ is, *a godly and wholesome doctrine* ; though this
 ‘ general doctrine has been constantly inculcated
 ‘ by the reverend fathers of the church, dead and
 ‘ living, and preached by them as a preservative
 ‘ against the popish doctrine of deposing princes,
 ‘ and as the ordinary rule of obedience ; and
 ‘ though the same doctrine has been preached,
 ‘ maintained, and avowed by our most orthodox
 ‘ and able divines from the time of the Reformation ; and how *innocent a man* Dr. Sacheverel
 ‘ had been, if *with an honest and well-meant* zeal,
 ‘ he had preached the same doctrine in the same
 ‘ general terms in which he found it delivered by
 ‘ the apostles of Christ, as taught by the homilies,
 ‘ and the reverend fathers of our church, and, in
 ‘ imitation of those great examples, had only
 ‘ pressed the general duty of obedience, and the
 ‘ illegality of resistance, without taking notice of
 ‘ any exception.’

* * * * *

Another of the managers for the house of commons, Sir John Holland, was not less careful in guarding against a confusion of the principles of the Revolution, with any loose, general doctrines of a right in the individual, or even in the people, to undertake for themselves, on any prevalent, temporary opinions of convenience or improvement,

any fundamental change in the constitution, or to fabricate a new government for themselves, and thereby to disturb the publick peace, and to unsettle the ancient constitution of this kingdom.

SIR JOHN HOLLAND.

Submission
to the sove-
reign a con-
scientious
duty, ex-
cept in
cases of ne-
cessity.

‘ The commons would not be understood; as if
‘ they were pleading for a licentious resistance; as
‘ if *subjects* were left to *their* good-will and plea-
‘ sure, when they are to *obey*, and when to *resist*.
‘ No, my lords, they know they are *obliged by all*
‘ *the ties of social creatures and Christians, for*
‘ *wrath and conscience sake, to submit to their*
‘ *sovereign*. The commons do not abet *humour-*
‘ *some factious arms*: they aver them to be *rebel-*
‘ *lious*. But yet they maintain, that that resistance
‘ at the Revolution, which was so *necessary*, was
‘ *lawful and just from that necessity*.

‘ These general rules of obedience may, upon a
‘ *real necessity*, admit a lawful *exception*; and such
‘ a *necessary exception* we assert the Revolution to
‘ be.

Right of re-
sistance
how to be
understood.

‘ ’Tis with this view of *necessity* only, *absolute*
‘ *necessity* of preserving our laws, liberties, and re-
‘ *ligion*; ’tis with *this limitation* that we desire to
‘ be understood, when any of us speak of resistance
‘ in general. The *necessity* of the resistance at the
‘ Revolution,

‘ Revolution was at that time obvious to every
‘ man.’

* * * * *

I shall conclude these extracts with a reference to the Prince of Orange’s declaration, in which he gives the nation the fullest assurance that, in his enterprise, he was far from the intention of introducing any change whatever in the fundamental law and constitution of the state. He considered the object of his enterprise, not to be a precedent for further revolutions, but that it was the great end of his expedition to make such revolutions, so far as human power and wisdom could provide, unnecessary.

*Extract from the Prince of Orange’s
Declaration.*

‘ *All magistrates, who have been unjustly turned
‘ out; shall forthwith resume their former em-
‘ ployments, as well as all the boroughs of England
‘ shall return again to their ancient prescriptions,
‘ and charters: and more particularly, that the
‘ ancient charter of the great and famous city of
‘ London shall be again in force. And that the
‘ writs for the members of parliament shall be ad-
‘ dressed to the proper officers according to law
‘ and custom.*’ ———

‘ And for the doing of all other things, which
 ‘ the two houses of parliament shall find necessary
 ‘ for the peace, honour, and safety of the nation,
 ‘ so that there may be no danger of the nation’s
 ‘ falling, at any time hereafter, under arbitrary
 ‘ government.’

*Extract from the Prince of Orange’s
 additional Declaration.*

‘ We are confident that no persons can have
 ‘ such hard thoughts of us, as to imagine that we
 ‘ have any other design in this undertaking, than
 ‘ to procure a settlement of the religion, and of the
 ‘ liberties and properties of the subjects, upon so
 ‘ sure a foundation, that there may be no danger
 ‘ of the nation’s relapsing into the like miseries at
 ‘ any time hereafter. And, as the forces that we
 ‘ have brought along with us are utterly disproportioned to that wicked design of conquering the nation, if we were capable of intending it; so the
 ‘ great numbers of the principal nobility and gentry, that are men of eminent quality and estates, and persons of known integrity and zeal, both for the religion and government of England, many of them also being distinguished by their constant fidelity to the Crown, who do both accompany us in this expedition, and have earnestly solicited us to it, will cover us from all such malicious insinuations.’

Principal nobility and gentry well affected to the church and crown, security against the design of innovation.

In the spirit, and, upon one occasion, in the words*, of this declaration, the statutes passed in that reign made such provisions for preventing these dangers, that scarcely any thing short of combination of king, lords, and commons, for the destruction of the liberties of the nation, can in any probability make us liable to similar perils. In that dreadful, and, I hope, not to be looked-for case, any opinion of a right to make revolutions, grounded on this precedent, would be but a poor resource.—Dreadful indeed would be our situation.

These are the doctrines held by *the whigs of the Revolution*, delivered with as much solemnity, and as authentically at least, as any political dogmas were ever promulgated from the beginning of the world. If there be any difference between their tenets and those of Mr. Burke it is, that the old whigs oppose themselves still more strongly than he does against the doctrines which are now propagated with so much industry by those who would be thought their successors.

It will be said perhaps, that the old whigs, in order to guard themselves against popular odium, pretended to assert tenets contrary to those which they secretly held. This, if true, would prove, what Mr. Burke has uniformly asserted, that the extravagant doctrines which he meant to expose,

* Declaration of Right.

were disagreeable to the body of the people; who, though they perfectly abhor a despotick government, certainly approached more nearly to the love of mitigated monarchy, than to any thing which bears the appearance even of the best republick. But if these old whigs deceived the people, their conduct was unaccountable indeed. They exposed their power, as every one conversant in history knows, to the greatest peril, for the propagation of opinions which, on this hypothesis, they did not hold. It is a new kind of martyrdom. This supposition does as little credit to their integrity as their wisdom: it makes them at once hypocrites and fools. I think of those great men very differently. I hold them to have been, what the world thought them, men of deep understanding, open sincerity, and clear honour. However, be that matter as it may, what these old whigs pretended to be, Mr. Burke is. This is enough for him.

I do indeed admit, that, though Mr. Burke has proved that his opinions were those of the old whig party, solemnly declared by one house, in effect and substance by both houses of parliament, this testimony standing by itself will form no proper defence for his opinions, if he and the old whigs were both of them in the wrong. But it is his present concern, not to vindicate these old whigs, but to shew his agreement with them.—

He

He appeals to them as judges: he does not vindicate them as culprits. It is current that these old politicians knew little of the rights of men; that they lost their way by groping about in the dark; and fumbling among rotten parchments and musty records. Great lights they say are lately obtained in the world; and Mr. Burke, instead of shrowding himself in exploded ignorance, ought to have taken advantage of the blaze of illumination which has been spread about him. It may be so. The enthusiasts of this time, it seems, like their predecessors in another faction of fanaticism, deal in lights.—Hudibras pleasantly says of them, they

“ *Have lights, where better eyes are blind,*

“ *As pigs are said to see the wind.*”

The author of the Reflections has *heard* a great deal concerning the modern lights; but he has not yet had the good fortune to *see* much of them. He has read more than he can justify to any thing but the spirit of curiosity, of the works of these illuminators of the world. He has learned nothing from the far greater number of them, than a full certainty of their shallowness, levity, pride, petulance, presumption, and ignorance. Where the old authors whom he has read, and the old men whom he has conversed with, have left him in the dark, he is in the dark still. If others,

others, however, have obtained any of this extraordinary light, they will use it to guide them in their researches and their conduct. I have only to wish, that the nation may be as happy and as prosperous under the influence of the new light, as it has been in the sober shade of the old obscurity. As to the rest, it will be difficult for the author of the Reflections to conform to the principles of the avowed leaders of the party, until they appear otherwise than negatively. All we can gather from them is this, that their principles are diametrically opposite to his. This is all that we know from authority. Their negative declaration obliges me to have recourse to the books which contain positive doctrines. They are indeed, to those Mr. Burke holds, diametrically opposite; and if it be true, (as the oracles of the party have said, I hope hastily) that their opinions differ so widely, it should seem they are the most likely to form the creed of the modern whigs.

I have stated what were the avowed sentiments of the old whigs, not in the way of argument, but narratively. It is but fair to set before the reader, in the same simple manner, the sentiments of the modern, to which they spare neither pains nor expense to make proselytes. I choose them from the books upon which most of that industry and expenditure in circulation have been employed; I choose them not from those who speak with a
politick

politick obscurity; not from those who only controvert the opinions of the old whigs, without advancing any of their own, but from those who speak plainly and affirmatively. The whig reader may make his choice between the two doctrines.

The doctrine then propagated by these societies, which gentlemen think they ought to be very tender in discouraging, as nearly as possible in their own words, is as follows: that in Great Britain we are not only without a good constitution, but that we have “no constitution.” That, “though
“ it is much talked about, no such thing as a constitution exists or ever did exist; and consequently that *the people have a constitution yet to form*; that since William the Conqueror, the country has never yet *regenerated itself*, and is therefore without a constitution. That where it cannot be produced in a visible form there is none. That a constitution is a thing antecedent to government; and that the constitution of a country is not the act of its government, but of a people constituting a government. That *every thing* in the English government is the reverse of what it ought to be, and what it is said to be in England. That the right of war and peace resides in a metaphor shewn at the Tower, for sixpence or a shilling a piece.—That it signifies not where the right resides, whether in the Crown or in parliament. War is the common
“ harvest

“ harvest of those who participate in the division
“ and expenditure of publick money. That the
“ portion of liberty enjoyed in England is just
“ enough to enslave a country more productively
“ than by despotism.”

So far as to the general state of the British constitution.—As to our house of lords, the chief virtual representatives of our aristocracy, the great ground and pillar of security to the landed interest, and that main link by which it is connected with the law and the Crown, these worthy societies are pleased to tell us, that, “ whether we
“ view aristocracy before, or behind, or sideways,
“ or any way else, domestically or publickly, it is
“ still a *monster*. That aristocracy in France had
“ one feature less in its countenance than what it
“ has in some other countries; it did not com-
“ pose a body of hereditary legislators. It was
“ not a corporation of aristocracy;”—for such it seems that profound legislator M. de la Fayette describes the house of peers. “ That it is kept
“ up by family tyranny and injustice—that there
“ is an unnatural unfitness in aristocracy to be
“ legislators for a nation—that their ideas of distri-
“ butive justice are corrupted at the very source;
“ they begin life by trampling on all their younger
“ brothers and sisters, and relations of every kind,
“ and are taught and educated so to do.—That
“ the idea of an hereditary legislator is as absurd

“ as

“ as an hereditary mathematician. That a body
 “ holding themselves unaccountable to any body
 “ ought to be trusted by no body—that it is con-
 “ tinuing the uncivilized principles of govern-
 “ ments founded in conquest, and the base idea
 “ of man having a property in man, and govern-
 “ ing him by a personal right—that aristocracy
 “ has a tendency to degenerate the human
 “ species,” &c. &c.

As to our law of primogeniture, which with few and inconsiderable exceptions is the standing law of all our landed inheritance, and which without question has a tendency, and I think a most happy tendency, to preserve a character of consequence, weight, and prevalent influence over others in the whole body of the landed interest, they call loudly for its destruction. They do this for political reasons that are very manifest. They have the confidence to say, “that it is a law against
 “ every law of nature, and nature herself calls for
 “ its destruction. Establish family justice, and
 “ aristocracy falls. By the aristocratical law of
 “ primogenitureship, in a family of six children,
 “ five are exposed. Aristocracy has never but
 “ *one* child. The rest are begotten to be de-
 “ voured. They are thrown to the cannibal for
 “ prey, and the natural parent prepares the un-
 “ natural repast.”

As to the house of commons, they treat it far
 worse

worse than the house of lords or the Crown have been ever treated. Perhaps they thought they had a greater right to take this amicable freedom with those of their own family. For many years it has been the perpetual theme of their invectives.—“Mockery, insult, usurpation,” are amongst the best names they bestow upon it. They damn it in the mass, by declaring “that it does not arise out of the inherent rights of the people, as the National Assembly does in France, and whose name designates its original.”

Of the charters and corporations, to whose rights, a few years ago, these gentlemen were so tremblingly alive, they say, “that when the people of England come to reflect upon them, they will, like France, annihilate those badges of oppression, those traces of a conquered nation.”

As to our monarchy, they had formerly been more tender of that branch of the constitution, and for a good reason. The laws had guarded against all seditious attacks upon it, with a greater degree of strictness and severity. The tone of these gentlemen is totally altered since the French Revolution. They now declaim as vehemently against the monarchy, as on former occasions they treacherously flattered and soothed it.

“When we survey the wretched condition of man under the monarchical and hereditary systems of government, dragged from his home
“ by

“ by one power, or driven by another, and im-
“ poverished by taxes more than by enemies, it
“ becomes evident that those systems are bad, and
“ that a general revolution in the principle and
“ construction of government is necessary.

“ What is government more than the manage-
“ ment of the affairs of a nation? It is not, and
“ from its nature cannot be, the property of any
“ particular man or family, but of the whole com-
“ munity, at whose expense it is supported; and
“ though by force or contrivance it has been
“ usurped into an inheritance, the usurpation can-
“ not alter the right of things. Sovereignty, as
“ a matter of right, appertains to the nation only,
“ and not to any individual; and a nation has at
“ all times an inherent indefeasible right to abolish
“ any form of government it finds inconvenient,
“ and establish such as accords with its interest,
“ disposition, and happiness. The romantick and
“ barbarous distinction of men into kings and
“ subjects, though it may suit the condition of
“ courtiers, cannot that of citizens; and is ex-
“ ploded by the principle upon which govern-
“ ments are now founded. Every citizen is a
“ member of the sovereignty, and, as such, can
“ acknowledge no personal subjection; and his
“ obedience can be only to the laws.”

Warmly

Warmly recommending to us the example of France, where they have destroyed monarchy, they say—

“ Monarchical sovereignty, the enemy of mankind, and the source of misery is abolished ;
“ and sovereignty itself is restored to its natural
“ and original place, the nation. Were this the
“ case throughout Europe, the cause of wars
“ would be taken away.”

“ But, after all, what is this metaphor called a
“ Crown, or rather what is monarchy? Is it a
“ thing, or is it a name, or is it a fraud? Is it
“ ‘ a contrivance of human wisdom,’ or of human
“ craft, to obtain money from a nation under
“ specious pretences? Is it a thing necessary to a
“ nation? If it is, in what does that necessity consist, what services does it perform, what is its
“ business, and what are its merits? Doth the virtue consist in the metaphor, or in the man?
“ Doth the goldsmith that makes the crown make
“ the virtue also? Doth it operate like Fortunatus’s wishing cap, or Harlequin’s wooden sword?
“ Doth it make a man a conjuror? In fine, what
“ is it? It appears to be a something going much
“ out of fashion, falling into ridicule, and rejected
“ in some countries both as unnecessary and expensive. In America it is considered as an
“ absurdity ;

“ absurdity; and in France it has so far declined,
 “ that the goodness of the man, and the respect
 “ for his personal character, are the only things
 “ that preserve the appearance of its existence.”

“ Mr. Burke talks about what he calls an here-
 “ ditary crown, as if it were some production of
 “ Nature; or as if, like Time, it had a power to
 “ operate, not only independently, but in spite
 “ of man; or as if it were a thing or a subject
 “ universally consented to. Alas! it has none of
 “ those properties, but is the reverse of them all.
 “ It is a thing in imagination, the propriety of
 “ which is more than doubted, and the legality of
 “ which in a few years will be denied.”

“ If I ask the farmer, the manufacturer, the
 “ merchant, the tradesman, and down through
 “ all the occupations of life to the common la-
 “ bourer, what service monarchy is to him? he
 “ can give me no answer. If I ask him what
 “ monarchy is, he believes it is something like a
 “ sinecure.”

“ The French constitution says, That the right
 “ of war and peace is in the nation. Where else
 “ should

“ should it reside, but in those who are to pay the
 “ expense ?

“ In England, this right is said to reside in a
 “ *metaphor*, shewn at the Tower for sixpence or
 “ a shilling a-piece : so are the lions ; and it would
 “ be a step nearer to reason to say it resided in
 “ them, for any inanimate metaphor is no more
 “ than a hat or a cap. We can all see the absurdity
 “ of worshipping Aaron’s molten calf, or Nebu-
 “ chadnezzar’s golden image ; but why do men
 “ continue to practise themselves the absurdities
 “ they despise in others ?”

The Revolution and Hanover succession had been objects of the highest veneration to the old whigs. They thought them not only proofs of the sober and steady spirit of liberty which guided their ancestors, but of their wisdom and provident care of posterity.—The modern whigs have quite other notions of these events and actions. They do not deny that Mr. Burke has given truly the words of the acts of parliament which secured the succession, and the just sense of them. They attack not him but the law.

“ Mr. Burke (say they) has done some service,
 “ not to his cause, but to his country, by bring-
 “ ing those clauses into publick view. They serve
 “ to demonstrate how necessary it is at all times
 “ to

“ to watch against the attempted encroachment
 “ of power, and to prevent its running to excess.
 “ It is somewhat extraordinary, that the offence
 “ for which James II. was expelled, that of setting
 “ up power by *assumption*, should be re-acted,
 “ under another shape and form, by the parlia-
 “ ment that expelled him. It shews that the rights
 “ of man were but imperfectly understood at the
 “ Revolution; for, certain it is, that the right
 “ which that parliament set up by *assumption* (for
 “ by delegation it had it not, and could not have
 “ it, because none could give it) over the persons
 “ and freedom of posterity for ever, was of the
 “ same tyrannical unfounded kind which James
 “ attempted to set up over the parliament and the
 “ nation, and for which he was expelled. The
 “ only difference is, (for in principle they differ
 “ not) that the one was an usurper over the
 “ living, and the other over the unborn; and as
 “ the one has no better authority to stand upon
 “ than the other, both of them must be equally
 “ null and void, and of no effect.”

“ As the estimation of all things is by com-
 “ parison, the Revolution of 1688, however from
 “ circumstances it may have been exalted beyond
 “ its value, will find its level. It is already on the
 “ wane; eclipsed by the enlarging orb of reason,

“ and the luminous Revolutions of America and
 “ France. In less than another century, it will
 “ go, as well as Mr. Burke’s labours, ‘ to the
 “ family vault of all the Capulets.’ *Mankind will*
 “ *then scarcely believe that a country, calling*
 “ *itself free, would send to Holland for a man,*
 “ *and clothe him with power, on purpose to put*
 “ *themselves in fear of him, and give him almost*
 “ *a million sterling a-year for leave to submit*
 “ *themselves and their posterity, like bond-men*
 “ *and bond-women for ever.*”

“ Mr. Burke having said that the king holds
 “ his crown in contempt of the choice of the
 “ Revolution Society, who individually or col-
 “ lectively have not” (as most certainly they have
 not) “ a vote for a king amongst them,” they take
 occasion from thence to infer that the king who
 does not hold his crown by election, despises the
 people.

“ The king of England,” says he, “ holds his
 “ crown (for it does not belong to the nation ac-
 “ cording to Mr. Burke) in *contempt* of the choice
 “ of the Revolution Society,” &c.

“ As to who is king in England or elsewhere,
 “ or whether there is any king at all, or whether
 “ the people choose a Cherokee chief, or a Hessian
 “ hussar

“ hussar for a king, it is not a matter that I
“ trouble myself about—be that to themselves ;
“ but with respect to the doctrine, so far as it
“ relates to the rights of men and nations, it is as
“ abominable as any thing ever uttered in the
“ most enslaved country under heaven. Whether
“ it sounds worse to my ear, by not being accus-
“ tomed to hear such despotism, than what it does
“ to the ear of another person, I am not so well
“ a judge of ; but of its abominable principle I
“ am at no loss to judge.”

These societies of modern whigs push their insolence as far as it can go. In order to prepare the minds of the people for treason and rebellion, they represent the king as tainted with principles of despotism, from the circumstance of his having dominions in Germany. In direct defiance of the most notorious truth, they describe his government there to be a despotism ; whereas it is a free constitution, in which the states of the electorate have their part in the government ; and this privilege has never been infringed by the king, or, that I have heard of, by any of his predecessors. The constitution of the electoral dominions has indeed a double controul, both from the laws of the empire, and from the privileges of the country. Whatever rights the king enjoys as elector, have been always parentally exercised, and the calumnies of these scandalous societies have not been authorized by a single complaint of oppression.

“ When Mr. Burke says that ‘ his majesty’s
“ heirs and successors, each in their time and
“ order, will come to the crown with the *same*
“ *contempt* of their choice with which his majesty
“ has succeeded to that he wears,’ it is saying too
“ much even to the humblest individual in the
“ country ; part of whose daily labour goes to-
“ wards making up the million sterling a year,
“ which the country gives the person it styles a
“ king. Government with insolence, is despotism ;
“ but when contempt is added, it becomes worse ;
“ and to pay for contempt, is the excess of slavery.
“ This species of Government comes from Ger-
“ many ; and reminds me of what one of the
“ Brunswick soldiers told me, who was taken
“ prisoner by the Americans in the late war :
“ ‘ Ah ! ’ said he, ‘ America is a fine free country,
“ it is worth the people’s fighting for ; I know the
“ difference by knowing my own : in my country,
“ *if the prince says, Eat straw, we eat straw.*’
“ God help that country, thought I, be it England,
“ or elsewhere, whose liberties are to be protected
“ by *German principles of government, and princes*
“ *of Brunswick !*”

“ It is somewhat curious to observe, that al-
“ though the people of England have been in the
“ habit of talking about kings, it is always a
“ foreign

“ foreign house of kings; hating foreigners, yet
“ governed by them.—It is now the house of
“ Brunswick, one of the petty tribes of Ger-
“ many.”

“ If government be what Mr. Burke describes
“ it, ‘ a contrivance of human wisdom,’ I might
“ ask him, if wisdom was at such a low ebb in
“ England, that it was become necessary to import
“ it from Holland and from Hanover? But I will
“ do the country the justice to say, that was not
“ the case; and even if it was, it mistook the
“ cargo. The wisdom of every country, when
“ properly exerted, is sufficient for all its purposes;
“ *and there could exist no more real occasion in*
“ *England to have sent for a Dutch Stadtholder,*
“ *or a German Elector, than there was in America*
“ to have done a similar thing. If a country does
“ not understand its own affairs, how is a foreigner
“ to understand them, who knows neither its laws,
“ its manners, nor its language? If there existed
“ a man so transcendently wise above all others,
“ that his wisdom was necessary to instruct a na-
“ tion, some reason might be offered for monarchy;
“ but when we cast our eyes about a country, and
“ observe how every part understands its own
“ affairs; and when we look around the world,
“ and see that, of all men in it, the race of kings

“ are the most insignificant in capacity, our reason
“ cannot fail to ask us—What are those men kept
“ for *?”

These are the notions which, under the idea of whig principles, several persons, and among them persons of no mean mark, have associated themselves to propagate. I will not attempt in the smallest degree to refute them. This will probably be done (if such writings shall be thought to deserve any other than the refutation of criminal justice) by others, who may think with Mr. Burke. He has performed his part.

I do not wish to enter very much at large into the discussions which diverge and ramify in all ways from this productive subject. But there is one topick upon which I hope I shall be excused in going a little beyond my design. The factions, now so busy amongst us, in order to divest men of all love for their country, and to remove from their minds all duty with regard to the state, endeavour to propagate an opinion, that the *people*, in forming their commonwealth, have by no means parted with their power over it. This is an impregnable citadel, to which these gentlemen retreat whenever they are pushed by the battery of laws

* Vindication of the Rights of Man, recommended by the several societies.

and usages, and positive conventions. Indeed it is such and of so great force, that all they have done, in defending their outworks is so much time and labour thrown away. Discuss any of their schemes—their answer is—It is the act of the *people*, and that is sufficient. Are we to deny to a *majority* of the people the right of altering even the whole frame of their society, if such should be their pleasure? They may change it, say they, from a monarchy to a republick to-day, and to-morrow back again from a republick to a monarchy; and so backward and forward as often as they like. They are masters of the commonwealth; because in substance they are themselves the commonwealth. The French Revolution, say they, was the act of the majority of the people; and if the majority of any other people, the people of England for instance, wish to make the same change, they have the same right.

Just the same undoubtedly. That is, none at all. Neither the few nor the many have a right to act merely by their will, in any matter connected with duty, trust, engagement, or obligation. The constitution of a country being once settled upon some compact, tacit or expressed, there is no power existing of force to alter it, without the breach of the covenant, or the consent of all the parties. Such is the nature of a contract. And the votes of a majority of the people,

people, whatever their infamous flatterers may teach in order to corrupt their minds, cannot alter the moral any more than they can alter the physical essence of things. The people are not to be taught to think lightly of their engagements to their governors; else they teach governors to think lightly of their engagements towards them. In that kind of game in the end the people are sure to be losers. To flatter them into a contempt of faith, truth, and justice, is to ruin them; for in these virtues consist their whole safety. To flatter any man, or any part of mankind, in any description, by asserting, that in engagements he or they are free whilst any other human creature is bound, is ultimately to vest the rule of morality in the pleasure of those who ought to be rigidly submitted to it; to subject the sovereign reason of the world to the caprices of weak and giddy men.

But, as no one of us men can dispense with publick or private faith, or with any other tie of moral obligation, so neither can any number of us. The number engaged in crimes, instead of turning them into laudable acts, only augments the quantity and intensity of the guilt. I am well aware, that men love to hear of their power, but have an extreme disrelish to be told of their duty. This is of course; because every duty is a limitation of some power. Indeed arbitrary power
is

is so much to the depraved taste of the vulgar, of the vulgar of every description, that almost all the dissensions, which lacerate the commonwealth, are not concerning the manner in which it is to be exercised, but concerning the hands in which it is to be placed. Somewhere they are resolved to have it. Whether they desire it to be vested in the many or the few, depends with most men upon the chance which they imagine they themselves may have of partaking in the exercise of that arbitrary sway, in the one mode or in the other.

It is not necessary to teach men to thirst after power. But it is very expedient that by moral instruction, they should be taught, and by their civil constitutions they should be compelled, to put many restrictions upon the immoderate exercise of it, and the inordinate desire. The best method of obtaining these two great points forms the important, but at the same time the difficult problem to the true statesman. He thinks of the place in which political power is to be lodged, with no other attention, than as it may render the more or the less practicable, its salutary restraint, and its prudent direction. For this reason no legislator, at any period of the world, has willingly placed the seat of active power in the hands of the multitude: because there it admits of no controul, no regulation, no steady direction
whatsoever.

whatsoever. The people are the natural controul on authority ; but to exercise and to controul together is contradictory and impossible.

As the exorbitant exercise of power cannot, under popular sway, be effectually restrained, the other great object of political arrangement, the means of abating an excessive desire of it, is in such a state still worse provided for. The democratick commonwealth is the foodful nurse of ambition. Under the other forms it meets with many restraints. Whenever, in states which have had a democratick basis, the legislators have endeavoured to put restraints upon ambition, their methods were as violent, as in the end they were ineffectual : as violent indeed as any the most jealous despotism could invent. The ostracism could not very long save itself, and much less the state which it was meant to guard, from the attempts of ambition, one of the natural, inbred, incurable distempers of a powerful democracy.

But to return from this short digression, which however is not wholly foreign to the question of the effect of the will of the majority upon the form or the existence of their society. I cannot too often recommend it to the serious consideration of all men, who think civil society to be within the province of moral jurisdiction, that if we owe to it any duty, it is not subject to our will. Duties are not voluntary. Duty and will are even
contradictory

contradictory terms. Now though civil society might be at first a voluntary act (which in many cases it undoubtedly was) its continuance is under a permanent, standing covenant, co-existing with the society; and it attaches upon every individual of that society, without any formal act of his own. This is warranted by the general practice, arising out of the general sense of mankind. Men without their choice derive benefits from that association; without their choice they are subjected to duties in consequence of these benefits; and without their choice they enter into a virtual obligation as binding as any that is actual. Look through the whole of life and the whole system of duties. Much the strongest moral obligations are such as were never the results of our option. I allow, that if no supreme ruler exists, wise to form, and potent to enforce, the moral law, there is no sanction to any contract, virtual or even actual, against the will of prevalent power. On that hypothesis, let any set of men be strong enough to set their duties at defiance, and they cease to be duties any longer. We have but this one appeal against irresistible power—

Si genus humanum et mortalia temnitis arma,

At sperate Deos memores fandi atque nefandi.

Taking it for granted that I do not write to the disciples of the Parisian philosophy, I may assume,
that

that the awful Author of our being is the Author of our place in the order of existence ; and that having disposed and marshalled us by a divine tactick, not according to our will, but according to his, he has, in and by that disposition, virtually subjected us to act the part which belongs to the place assigned us. We have obligations to mankind at large, which are not in consequence of any special voluntary pact. They arise from the relation of man to man, and the relation of man to God, which relations are not matters of choice. On the contrary, the force of all the pacts which we enter into with any particular person, or number of persons amongst mankind, depends upon those prior obligations. In some cases the subordinate relations are voluntary, in others they are necessary—but the duties are all compulsive. When we marry, the choice is voluntary, but the duties are not matter of choice. They are dictated by the nature of the situation. Dark and inscrutable are the ways by which we come into the world. The instincts which give rise to this mysterious process of nature are not of our making. But out of physical causes, unknown to us, perhaps unknowable, arise moral duties, which, as we are able perfectly to comprehend, we are bound indispensably to perform. Parents may not be consenting to their moral relation ; but consenting or not, they are bound to a long train of burthensome duties

duties towards those with whom they have never made a convention of any sort. Children are not consenting to their relation, but their relation, without their actual consent, binds them to its duties ; or rather it implies their consent, because the presumed consent of every rational creature is in unison with the predisposed order of things. Men come in that manner into a community with the social state of their parents, endowed with all the benefits, loaded with all the duties of their situation. If the social ties and ligaments, spun out of those physical relations which are the elements of the commonwealth, in most cases begin, and always continue, independently of our will, so, without any stipulation on our own part, are we bound by that relation called our country, which comprehends (as it has been well said) “ all the “ charities of all*.” Nor are we left without powerful instincts to make this duty as dear and grateful to us, as it is awful and coercive. Our country is not a thing of mere physical locality. It consists, in a great measure, in the ancient order into which we are born. We may have the same geographical situation, but another country ; as we may have the same country in another soil. The place that determines our duty to our country is a social, civil relation.

* *Omnes omnium charitates patria una complectitur.* Cic.

These are the opinions of the author whose cause I defend. I lay them down not to enforce them upon others by disputation, but as an account of his proceedings. On them he acts; and from them he is convinced that neither he, nor any man, or number of men, have a right (except what necessity, which is out of and above all rule, rather imposes than bestows) to free themselves from that primary engagement into which every man born into a community as much contracts by his being born into it, as he contracts an obligation to certain parents by his having been derived from their bodies. The place of every man determines his duty. If you ask, *Quem te Deus esse jussit?* You will be answered when you resolve this other question, *Humana qua parte locatus es in re**?

I admit, indeed, that in morals, as in all things else, difficulties will sometimes occur. Duties will sometimes cross one another. Then questions will arise, which of them is to be placed in subordination;

* A few lines in Persius contain a good summary of all the objects of moral investigation, and hint the result of our inquiry; There human will has no place.

*Quid sumus? et quidnam victuri gignimur? ordo
 Quis datus? et metæ quis mollis flexus et unde?
 Quis modus argento? Quid fas optare? Quid asper
 Utile nummus habet? Patriæ charisque propinquis
 Quantum elargiri debet?—Quem te Deus esse
 Jussit?—et humana qua parte locatus es in re?*

which

which of them may be entirely superseded? These doubts give rise to that part of moral science called *casuistry*; which, though necessary to be well studied by those who would become expert in that learning, who aim at becoming what, I think, Cicero somewhere calls, *artifices officiorum*; it requires a very solid and discriminating judgment, great modesty and caution, and much sobriety of mind in the handling; else there is a danger that it may totally subvert those offices which it is its object only to methodize and reconcile. Duties, at their extreme bounds, are drawn very fine, so as to become almost evanescent. In that state some shade of doubt will always rest on these questions, when they are pursued with great subtilty. But the very habit of stating these extreme cases is not very laudable or safe: because, in general, it is not right to turn our duties into doubts. They are imposed to govern our conduct, not to exercise our ingenuity; and therefore, our opinions about them ought not to be in a state of fluctuation, but steady, sure, and resolved.

Amongst these nice, and therefore dangerous points of casuistry, may be reckoned the question so much agitated in the present hour—Whether, after the people have discharged themselves of their original power by an habitual delegation, no occasion can possibly occur which may justify the resumption of it? This question, in this latitude, is

very hard to affirm or deny : but I am satisfied that no occasion can justify such a resumption, which would not equally authorize a dispensation with any other moral duty, perhaps with all of them together. However, if in general it be not easy to determine concerning the lawfulness of such devious proceedings, which must be ever on the edge of crimes, it is far from difficult to foresee the perilous consequences of the resuscitation of such a power in the people. The practical consequences of any political tenet go a great way in deciding upon its value. Political problems do not primarily concern truth or falsehood. They relate to good or evil. What in the result is likely to produce evil, is politically false : that which is productive of good, politically true.

Believing it therefore a question at least arduous in the theory, and in the practice very critical, it would become us to ascertain, as well as we can, what form it is that our incantations are about to call up from darkness and the sleep of ages. When the supreme authority of the people is in question, before we attempt to extend or to confine it, we ought to fix in our minds, with some degree of distinctness, an idea of what it is we mean, when we say the PEOPLE.

In a state of *rude* nature there is no such thing as a people. A number of men in themselves have no collective capacity. The idea of a people is the
idea

idea of a corporation. It is wholly artificial ; and made like all other legal fictions by common agreement. What the particular nature of that agreement was, is collected from the form into which the particular society has been cast. Any other is not *their* covenant. When men, therefore, break up the original compact or agreement which gives its corporate form and capacity to a state, they are no longer a people ; they have no longer a corporate existence ; they have no longer a legal, coactive force to bind within, nor a claim to be recognised abroad. They are a number of vague, loose individuals, and nothing more. With them all is to begin again. Alas ! they little know how many a weary step is to be taken before they can form themselves into a mass, which has a true, politick personality.

We hear much from men, who have not acquired their hardness of assertion from the profundity of their thinking, about the omnipotence of a *majority*, in such a dissolution of an ancient society as hath taken place in France. But amongst men so disbanded, there can be no such thing as majority or minority ; or power in any one person to bind another. The power of acting by a majority, which the gentlemen theorists seem to assume so readily, after they have violated the contract out of which it has arisen, (if at all it existed) must be grounded on two assumptions ; first, that

of an incorporation produced by unanimity ; and secondly, an unanimous agreement, that the act of a mere majority (say of one) shall pass with them and with others as the act of the whole.

We are so little affected by things which are habitual, that we consider this idea of the decision of a *majority* as if it were a law of our original nature : but such constructive whole, residing in a part only, is one of the most violent fictions of positive law, that ever has been or can be made on the principles of artificial incorporation. Out of civil society nature knows nothing of it ; nor are men, even when arranged according to civil order, otherwise than by very long training, brought at all to submit to it. The mind is brought far more easily to acquiesce in the proceedings of one man, or a few, who act under a general procuration for the state, than in the vote of a victorious majority in councils, in which every man has his share in the deliberation. For there the beaten party are exasperated and soured by the previous contention, and mortified by the conclusive defeat. This mode of decision, where wills may be so nearly equal, where, according to circumstances, the smaller number may be the stronger force, and where apparent reason may be all upon one side, and on the other little else than impetuous appetite ; all this must be the result of a very particular and special convention, confirmed afterwards by long habits of obedience,

obedience, by a sort of discipline in society, and by a strong hand, vested with stationary, permanent power, to enforce this sort of constructive general will. What organ it is that shall declare the corporate mind is so much a matter of positive arrangement, that several states, for the validity of several of their acts, have required a proportion of voices much greater than that of a mere majority. These proportions are so entirely governed by convention, that in some cases the minority decides. The laws in many countries to *condemn* require more than a mere majority ; less than an equal number to *acquit*. In our judicial trials we require unanimity either to condemn or to absolve. In some incorporations one man speaks for the whole ; in others, a few. Until the other day, in the constitution of Poland, unanimity was required to give validity to any act of their great national council or diet. This approaches much more nearly to rude nature than the institutions of any other country. Such, indeed, every commonwealth must be, without a positive law to recognise in a certain number the will of the entire body.

If men dissolve their ancient incorporation, in order to regenerate their community, in that state of things each man has a right, if he pleases, to remain an individual. Any number of individuals, who can agree upon it, have an undoubted right to form themselves into a state apart, and wholly

P 3

independent.

independent. If any of these is forced into the fellowship of another, this is conquest and not compact. On every principle, which supposes society to be in virtue of a free covenant, this compulsive incorporation must be null and void.

As a people can have no right to a corporate capacity without universal consent, so neither have they a right to hold exclusively any lands in the name and title of a corporation. On the scheme of the present rulers in our neighbouring country, regenerated as they are, they have no more right to the territory called France than I have. I have a right to pitch my tent in any unoccupied place I can find for it; and I may apply to my own maintenance any part of their unoccupied soil. I may purchase the house or vineyard of any individual proprietor who refuses his consent (and most proprietors have, as far as they dared, refused it) to the new incorporation. I stand in his independent place. Who are these insolent men calling themselves the French nation, that would monopolize this fair domain of nature? Is it because they speak a certain jargon? Is it their mode of chattering, to me unintelligible, that forms their title to my land? Who are they who claim by prescription and descent from certain gangs of banditti called Franks, and Burgundians, and Visigoths, of whom I may have never heard, and ninety-nine out of an hundred of themselves certainly never have heard; whilst

whilst at the very time they tell me, that prescription and long possession form no title to property? Who are they that presume to assert that the land which I purchased of the individual, a natural person, and not a fiction of state, belongs to them, who in the very capacity in which they make their claim can exist only as an imaginary being, and in virtue of the very prescription which they reject and disown? This mode of arguing might be pushed into all the detail, so as to leave no sort of doubt, that on their principles, and on the sort of footing on which they have thought proper to place themselves, the crowd of men, on the one side of the channel, who have the impudence to call themselves a people, can never be the lawful, exclusive possessors of the soil. By what they call reasoning without prejudice, they leave not one stone upon another in the fabrick of human society. They subvert all the authority which they hold, as well as all that which they have destroyed.

As in the abstract, it is perfectly clear, that, out of a state of civil society, majority and minority are relations which can have no existence; and that, in civil society, its own specifick conventions in each corporation determine what it is that constitutes the people, so as to make their act the signification of the general will: to come to particulars, it is equally clear, that neither in France nor in England has the original, or any subsequent

compact of the state, expressed or implied, constituted *a majority of men, told by the head*, to be the acting people of their several communities. And I see as little of policy or utility, as there is of right, in laying down a principle that a majority of men told by the head are to be considered as the people, and that as such their will is to be law. What policy can there be found in arrangements made in defiance of every political principle? To enable men to act with the weight and character of a people, and to answer the ends for which they are incorporated into that capacity, we must suppose them (by means immediate or consequential) to be in that state of habitual social discipline, in which the wiser, the more expert, and the more opulent conduct, and by conducting enlighten and protect the weaker, the less knowing, and the less provided with the goods of fortune. When the multitude are not under this discipline, they can scarcely be said to be in civil society. Give once a certain constitution of things, which produces a variety of conditions and circumstances in a state, and there is in nature and reason a principle which, for their own benefit, postpones, not the interest but the judgment, of those who are *numero plures*, to those who are *virtute et honore majores*. Numbers in a state (supposing, which is not the case in France, that a state does exist) are always of consideration—but they are not the whole consideration. It is
in

in things more serious than a play, that it may be truly said *satis est equitem mihi plaudere*.

A true natural aristocracy is not a separate interest in the state, or separable from it. It is an essential integrant part of any large body rightly constituted. It is formed out of a class of legitimate presumptions, which, taken as generalities, must be admitted for actual truths. To be bred in a place of estimation ; To see nothing low and sordid from one's infancy ; To be taught to respect one's self ; To be habituated to the censorial inspection of the publick eye ; To look early to publick opinion ; To stand upon such elevated ground as to be enabled to take a large view of the wide-spread and infinitely diversified combinations of men and affairs in a large society ; To have leisure to read, to reflect, to converse ; To be enabled to draw the court and attention of the wise and learned wherever they are to be found ;—To be habituated in armies to command and to obey ; To be taught to despise danger in the pursuit of honour and duty ; To be formed to the greatest degree of vigilance, foresight, and circumspection, in a state of things in which no fault is committed with impunity, and the slightest mistakes draw on the most ruinous consequences—To be led to a guarded and regulated conduct, from a sense that you are considered as an instructor of your fellow-citizens in their highest concerns, and that you act as a reconciler

reconciler between God and man—To be employed as an administrator of law and justice, and to be thereby amongst the first benefactors to mankind—To be a professor of high science, or of liberal and ingenuous art--To be amongst rich traders, who from their success are presumed to have sharp and vigorous understandings, and to possess the virtues of diligence, order, constancy, and regularity, and to have cultivated an habitual regard to commutative justice—These are the circumstances of men, that form what I should call a *natural* aristocracy, without which there is no nation.

The state of civil society, which necessarily generates this aristocracy, is a state of nature; and much more truly so than a savage and incoherent mode of life. For man is by nature reasonable; and he is never perfectly in his natural state, but when he is placed where reason may be best cultivated, and most predominates. Art is man's nature. We are as much, at least, in a state of nature in formed manhood, as in immature and helpless infancy. Men, qualified in the manner I have just described, form in nature, as she operates in the common modification of society, the leading, guiding, and governing part. It is the soul to the body, without which the man does not exist. To give therefore no more importance, in the social order, to such descriptions of men, than

than that of so many units, is a horrible usurpation.

When great multitudes act together, under that discipline of nature, I recognise the PEOPLE. I acknowledge something that perhaps equals, and ought always to guide the sovereignty of convention. In all things the voice of this grand chorus of national harmony ought to have a mighty and decisive influence. But when you disturb this harmony; when you break up this beautiful order, this array of truth and nature, as well as of habit and prejudice; when you separate the common sort of men from their proper chieftains so as to form them into an adverse army, I no longer know that venerable object called the people in such a disbanded race of deserters and vagabonds. For a while they may be terrible indeed; but in such a manner as wild beasts are terrible. The mind owes to them no sort of submission. They are, as they have always been reputed, rebels. They may lawfully be fought with, and brought under, whenever an advantage offers. Those who attempt by outrage and violence to deprive men of any advantage which they hold under the laws, and to destroy the natural order of life, proclaim war against them.

We have read in history of that furious insurrection of the common people in France called the *Jacquerie*; for this is not the first time that the
people

people have been enlightened into treason, murder, and rapine. Its object was to extirpate the gentry. The *Capital de Buche*, a famous soldier of those days, dishonoured the name of a gentleman and of a man by taking, for their cruelties, a cruel vengeance on these deluded wretches: it was, however, his right and his duty to make war upon them, and afterwards, in moderation, to bring them to punishment for their rebellion; though in the sense of the French Revolution, and of some of our clubs, they were the *people*; and were truly so, if you will call by that appellation *any majority of men told by the head*.

At a time not very remote from the same period (for these humours never have affected one of the nations without some influence on the other) happened several risings of the lower commons in England. These insurgents were certainly the majority of the inhabitants of the counties in which they resided; and Cade, Ket, and Straw, at the head of their national guards, and fomented by certain traitors of high rank, did no more than exert, according to the doctrines of our and the Parisian societies, the sovereign power inherent in the majority.

We call the time of those events a dark age. Indeed we are too indulgent to our own proficiency. The Abbé John Ball understood the rights of man as well as the Abbé Gregoire. That
reverend

reverend patriarch of sedition, and prototype of our modern preachers, was of opinion with the National Assembly, that all the evils which have fallen upon men had been caused by an ignorance of their "having been born and continued equal as to their rights." Had the populace been able to repeat that profound maxim all would have gone perfectly well with them. No tyranny, no vexation, no oppression, no care, no sorrow, could have existed in the world. This would have cured them like a charm for the tooth-ach. But the lowest wretches, in their most ignorant state, were able at all times to talk such stuff; and yet at all times have they suffered many evils and many oppressions, both before and since the republication by the National Assembly of this spell of healing potency and virtue. The enlightened Dr. Ball, when he wished to rekindle the lights and fires of his audience on this point, chose for the text the following couplet:

When Adam delved and Eve span,
Who was then the gentleman?

Of this sapient maxim, however, I do not give him for the inventor. It seems to have been handed down by tradition, and had certainly become proverbial; but whether then composed, or only applied, thus much must be admitted, that in learning, sense, energy, and comprehensiveness,
it

it is fully equal to all the modern dissertations on the equality of mankind ; and it has one advantage over them,—that it is in rhyme*.

There

* It is no small loss to the world, that the whole of this enlightened and philosophick sermon, preached to *two hundred thousand* national guards assembled at Blackheath (a number probably equal to the sublime and majestic *Federation* of the 14th of July, 1790, in the *Champs de Mars*) is not preserved. A short abstract is, however, to be found in Walsingham. I have added it here for the edification of the modern whigs, who may possibly except this precious little fragment from their general contempt of ancient learning.

Ut suâ doctrinâ plures inficeret ad le Blackheth (ubi ducenta millia hominum communium fuère simul congregata) hujuscemodi sermonem est exorsus.

When Adam dalfe, and Evé span,
Who was than a gentleman ?

Continuansque sermonem inceptum nitebatur, per verba proverbii quod pro themate sumpserat, introducere & probare, *ab initio omnes pares creatos á naturá*, servitutem per injustam oppressionem nequâm hominum introductam contra Dei voluntatem, quia si Deo placuisset servos creâsse, utique in principio mundi constituisset, quis servus, quisve dominus futurus fuisset. Considerarent igitur jam tempus à Deo datum eis, in quo (deposito servitutis jugo diutius) possent, si vellent, libertate diu concupitâ gaudere. Quapropter monuit ut essent viri cordati, & amore boni patris familias excolentis agrum suum & extirpantis ac resecantis noxia gramina quæ fruges solent opprimere, & ipsi in præsentî facere festinarent ; primò *maiores regni dominos occidendo ; deindè juridicos, justiciarios & juratores patriæ perimendo ;* postremò quoscunque scirent *in posterum communitati nocivos* tollerent

There is no doubt, but that this great teacher of the rights of man decorated his discourse on this valuable text, with lemmas, theorems, scholia, corollaries,

lerent de terrâ suâ: sic demum & *pacem* sibimet *parerent* & *securitatem* in futurum, *si sublati majoribus esset inter eos æqua libertas, eadem nobilitas, par dignatas, similisque potestas.*

Here is displayed at once the whole of the grand arcanum pretended to be found out by the National Assembly, for securing future happiness, peace, and tranquillity. There seems however to be some doubt whether this venerable protomartyr of philosophy was inclined to carry his own declaration of the rights of men more rigidly into practice than the National Assembly themselves. He was, like them, only preaching licentiousness to the populace to obtain power for himself, if we may believe what is subjoined by the historian.

Cumque hæc & *plura alia deliramenta* [think of this old fool's calling all the wisemaxims of the French academy *deliramenta*] prædicâset, commune vulgus cum tanto favore prosequitur, ut *acclamarent eum archiepiscopum futurum, & regni concellarium.* Whether he would have taken these situations under these names, or would have changed the whole nomenclature of the state and church, to be understood in the sense of the revolution, is not so certain. It is probable that he would have changed the names and kept the substance of power.

We find too, that they had in those days their *society for constitutional information*, of which the reverend John Ball was a conspicuous member, sometimes under his own name, sometimes under the feigned name of John Schep. Besides him it consisted (as Knyghton tell us) of persons who went by the real or fictitious names of Jack Mylner, Tom Baker, Jack Straw, Jack Trewman, Jack Carter, and probably of many more. Some of the choicest flowers of the publications,
charitably

corollaries, and all the apparatus of science, which was furnished in as great plenty and perfection out of the dogmatick, and polemick magazines, the

charitably written and circulated by them gratis, are upon record in Walsingham and Knyghton : and I am inclined to prefer the pithy and sententious brevity of these *bulletins* of ancient rebellion, before the loose and confused prolixity of the modern advertisements of constitutional information. They contain more good morality and less bad politicks; they had much more foundation in real oppression; and they have the recommendation of being much better adapted to the capacities of those for whose instruction they were intended. Whatever laudable pains the teachers of the present day appear to take, I cannot compliment them so far as to allow, that they have succeeded in writing down to the level of their pupils, *the members of the sovereign*, with half the ability of Jack Carter and the reverend John Ball.—That my readers may judge for themselves, I shall give them one or two specimens.

The first is an address from the reverend John Ball, under his *nom de guerre* of John Schep. I know not against what particular “guyle in borough” the writer means to caution the people; it may have been only a general cry against “*rotten boroughs*,” which it was thought convenient then as now to make the first pretext, and place at the head of the list of grievances.

JOHN SCHEP.

John Schep sometime Seint Mary Priest of Yorke, and now of Colchester, greeteth well John Namelesse, & John the Miller, & John Carter, and *biddeth them that they beware of guyle in borough*, and stand together in God's name; and biddeth Piers Plowman goe to his werk, and chastise well *Hob the robber*
[probably

the old horse-armoury of the schoolmen, among whom the Rev. Dr. Ball was bred, as they can be supplied from the new arsenal at Hackney. It was,

[probably the king] and take with you John Trewman, and all his fellows and no moe.

John the Miller hath yground smal, small, small ;

The King's Sonne of Heven shall pay for all.

Beware or ye be woe,

Know your frende fro your foe.

Have enough and say hoe :

And do wel and better, and flee sinne,

And seeke peace and holde you therein ;

& so biddeth John Trewman, & all his fellowes.

The reader has perceived, from the last lines of this curious state paper, how well the National Assembly has copied its union of the profession of universal peace, with the practice of murder and confusion, and the blast of the trumpet of sedition in all nations. He will, in the following constitutional paper, observe how well, in their enigmatical style, like the Assembly and their abettors, the old philosophers, proscribe all hereditary distinction, and bestow it only on virtue and wisdom, according to their estimation of both. Yet these people are supposed never to have heard of "the rights of man !"

JACK MYLNER.

Jakke Mylner asketh help to turn his mylne aright.

He hath grounden smal, smal,

The King's Sone of Heven he shall pay for alle.

the coverings and trappings of fortune to recommend them to the multitude. Nothing can be more loathsome in their naked nature.

Aberrations like these, whether ancient or modern, unsuccessful or prosperous, are things of passage. They furnish no argument for supposing *a multitude told by the head to be the people*. Such a multitude can have no sort of title to alter the seat of power in the society, in which it ever ought to be the obedient, and not the ruling or presiding part. What power may belong to the whole mass, in which mass, the natural *aristocracy*, or what by convention is appointed to represent and strengthen it, acts in its proper place, with its proper weight, and without being subjected to violence, is a deeper question. But in that case, and with that concurrence, I should have much doubt whether any rash or desperate changes in the state, such as we have seen in France, could ever be effected.

I have said, that in all political questions the consequences of any assumed rights are of great moment in deciding upon their validity. In this point of view let us a little scrutinize the effects of a right in the mere majority of the inhabitants of any country of superseding and altering their government *at pleasure*.

The sum total of every people is composed of its units. Every individual must have a right to
originate

originate what afterwards is to become the act of the majority. Whatever he may lawfully originate he may lawfully endeavour to accomplish. He has a right therefore in his own particular to break the ties and engagements which bind him to the country in which he lives; and he has a right to make as many converts to his opinions, and to obtain as many associates in his designs, as he can procure: for how can you know the dispositions of the majority to destroy their government, but by tampering with some part of the body? You must begin by a secret conspiracy, that you may end with a national confederation. The mere pleasure of the beginning must be the sole guidé; since the mere pleasure of others must be the sole ultimate sanction, as well as the sole actuating principle in every part of the progress. Thus, arbitrary will (the last corruption of ruling power) step by step, poisons the heart of every citizen. If the undertaker fails, he has the misfortune of a rebel, but not the guilt. By such doctrines, all love to our country, all pious veneration and attachment to its laws and customs, are obliterated from our minds; and nothing can result from this opinion, when grown into a principle, and animated by discontent, ambition, or enthusiasm, but a series of conspiracies and seditions, sometimes ruinous to their authors, always noxious to the state. No sense of duty can

prevent any man from being a leader or a follower in such enterprises. Nothing restrains the tempter; nothing guards the tempted. Nor is the new state, fabricated by such arts, safer than the old. What can prevent the mere will of any person, who hopes to unite the wills of others to his own, from an attempt wholly to overturn it? It wants nothing but a disposition to trouble the established order, to give a title to the enterprise.

When you combine this principle of the right to change a fixed and tolerable constitution of things at pleasure, with the theory and practice of the French Assembly, the political, civil, and moral irregularity are if possible aggravated. The Assembly have found another road, and a far more commodious, to the destruction of an old government, and the legitimate formation of a new one, than through the previous will of the majority of what they call the people. Get, say they, the possession of power by any means you can into your hands; and then a subsequent consent (what they call an *address of adhesion*) makes your authority as much the act of the people as if they had conferred upon you originally that kind and degree of power, which, without their permission, you had seized upon. This is to give a direct sanction to fraud, hypocrisy, perjury, and the breach of the most sacred trusts that can exist between

between man and man. What can sound with such horrid discordance in the moral ear, as this position, That a delegate with limited powers may break his sworn engagements to his constituent, assume an authority, never committed to him, to alter all things at his pleasure; and then, if he can persuade a large number of men to flatter him in the power he has usurped, that he is absolved in his own conscience, and ought to stand acquitted in the eyes of mankind? On this scheme the maker of the experiment must begin with a determined perjury. That point is certain. He must take his chance for the expiatory addresses. This is to make the success of villainy the standard of innocence.

Without drawing on, therefore, very shocking consequences, neither by previous consent, nor by subsequent ratification of a *mere reckoned majority*, can any set of men attempt to dissolve the state at their pleasure. To apply this to our present subject. When the several orders, in their several bailages, had met in the year 1789, such of them, I mean, as had met peaceably and constitutionally, to choose and to instruct their representatives, so organized and so acting, (because they were organized and were acting according to the conventions which made them a people) they were the *people* of France. They had a legal and a natural capacity to be considered as that people. But

prevent any man from being a leader or a follower in such enterprises. Nothing restrains the tempter; nothing guards the tempted. Nor is the new state, fabricated by such arts, safer than the old. What can prevent the mere will of any person, who hopes to unite the wills of others to his own, from an attempt wholly to overturn it? It wants nothing but a disposition to trouble the established order, to give a title to the enterprise.

When you combine this principle of the right to change a fixed and tolerable constitution of things at pleasure, with the theory and practice of the French Assembly, the political, civil, and moral irregularity are if possible aggravated. The Assembly have found another road, and a far more commodious, to the destruction of an old government, and the legitimate formation of a new one, than through the previous will of the majority of what they call the people. Get, say they, the possession of power by any means you can into your hands; and then a subsequent consent (what they call an *address of adhesion*) makes your authority as much the act of the people as if they had conferred upon you originally that kind and degree of power, which, without their permission, you had seized upon. This is to give a direct sanction to fraud, hypocrisy, perjury, and the breach of the most sacred trusts that can exist
between

between man and man. What can sound with such horrid discordance in the moral ear, as this position, That a delegate with limited powers may break his sworn engagements to his constituent, assume an authority, never committed to him, to alter all things at his pleasure; and then, if he can persuade a large number of men to flatter him in the power he has usurped, that he is absolved in his own conscience, and ought to stand acquitted in the eyes of mankind? On this scheme the maker of the experiment must begin with a determined perjury. That point is certain. He must take his chance for the expiatory addresses. This is to make the success of villainy the standard of innocence.

Without drawing on, therefore, very shocking consequences, neither by previous consent, nor by subsequent ratification of a *mere reckoned majority*, can any set of men attempt to dissolve the state at their pleasure. To apply this to our present subject. When the several orders, in their several bailages, had met in the year 1789, such of them, I mean, as had met peaceably and constitutionally, to choose and to instruct their representatives, so organized and so acting, (because they were organized and were acting according to the conventions which made them a people) they were the *people* of France. They had a legal and a natural capacity to be considered as that people. But

observe, whilst they were in this state, that is, whilst they were a people, in no one of their instructions did they charge or even hint at any of those things, which have drawn upon the usurping Assembly, and their adherents, the detestation of the rational and thinking part of mankind. I will venture to affirm, without the least apprehension of being contradicted by any person who knows the then state of France, that if any one of the changes were proposed, which form the fundamental parts of their Revolution, and compose its most distinguishing acts, it would not have had one vote in twenty thousand in any order. Their instructions purported the direct contrary to all those famous proceedings, which are defended as the acts of the people. Had such proceedings been expected, the great probability is, that the people would then have risen, as to a man, to prevent them. The whole organization of the Assembly was altered, the whole frame of the kingdom was changed, before these things could be done. It is long to tell, by what evil arts of the conspirators, and by what extreme weakness and want of steadiness in the lawful government, this equal usurpation on the rights of the prince and people, having first cheated, and then offered violence to both, has been able to triumph, and to employ with success the forged signature of an imprisoned sovereign, and the
spurious

spurious voice of dictated addresses, to a subsequent ratification of things that had never received any previous sanction, general or particular, expressed or implied, from the nation, (in whatever sense that word is taken) or from any part of it.

After the weighty and respectable part of the people had been murdered, or driven by the menaces of murder from their houses, or were dispersed in exile into every country in Europe; after the soldiery had been debauched from their officers; after property had lost its weight and consideration, along with its security; after voluntary clubs and associations of factious and unprincipled men were substituted in the place of all the legal corporations of the kingdom arbitrarily dissolved; after freedom had been banished from * those popular meetings, whose sole recommendation is freedom.—After it had come to that pass, that no dissent dared to appear in any of them, but at the certain price of life; after even dissent had been anticipated, and assassination became as quick as suspicion; such pretended ratification by addresses could be no act of what any lover of the people would choose to call by their name. It is that voice which every successful usurpation, as well as this before us, may easily procure, even without making (as these tyrants

* The primary assemblies.

have made) donatives from the spoil of one part of the citizens to corrupt the other.

The pretended *rights of man*, which have made this havock, cannot be the rights of the people. For to be a people, and to have these rights, are things incompatible. The one supposes the presence, the other the absence of a state of civil society. The very foundation of the French commonwealth is false and self-destructive ; nor can its principles be adopted in any country, without the certainty of bringing it to the very same condition in which France is found. Attempts are made to introduce them into every nation in Europe. This nation, as possessing the greatest influence, they wish most to corrupt, as by that means they are assured the contagion must become general. I hope, therefore, I shall be excused, if I endeavour to shew, as shortly as the matter will admit, the danger of giving to them, either avowedly or tacitly, the smallest countenance.

There are times and circumstances, in which not to speak out is at least to connive. Many think it enough for them, that the principles propagated by these clubs and societies, enemies to their country and its constitution, are not owned by the *modern whigs in parliament*, who are so warm in condemnation of Mr. Burke and his book, and of course of all the principles of the ancient, constitutional whigs of this kingdom. Certainly they
are

are not owned. But are they condemned with the same zeal as Mr. Burke and his book are condemned? Are they condemned at all? Are they rejected or discountenanced in any way whatsoever? Is any man who would fairly examine into the demeanour and principles of those societies, and that too very moderately, and in the way rather of admonition than of punishment, is such a man even decently treated? Is he not reproached, as if, in condemning such principles, he had belied the conduct of his whole life, suggesting that his life had been governed by principles similar to those which he now reprobates? The French system is in the mean time, by many active agents out of doors, rapturously praised; the British constitution is coldly tolerated. But these constitutions are different, both in the foundation and in the whole superstructure; and it is plain, that you cannot build up the one but on the ruins of the other. After all, if the French be a superiour system of liberty, why should we not adopt it? To what end are our praises? Is excellence held out to us only that we should not copy after it? And what is there in the manners of the people, or in the climate of France, which renders that species of republick fitted for them, and unsuitable to us? A strong and marked difference between the two nations ought to be shewn, before we can admit a constant, affected panegyrick, a standing, annual

annual commemoration, to be without any tendency to an example.

But the leaders of party will not go the length of the doctrines taught by the seditious clubs. I am sure they do not mean to do so. God forbid ! Perhaps even those who are directly carrying on the work of this pernicious foreign faction, do not all of them intend to produce all the mischiefs which must inevitably follow from their having any success in their proceedings. As to leaders in parties, nothing is more common than to see them blindly led. The world is governed by go-betweens. These go-betweens influence the persons with whom they carry on the intercourse, by stating their own sense to each of them as the sense of the other ; and thus they reciprocally master both sides. It is first buzzed about the ears of leaders, " that their friends without doors are very eager " for some measure, or very warm about some " opinion—that you must not be too rigid with " them. They are useful persons, and zealous in " the cause. They may be a little wrong ; but the " spirit of liberty must not be damped ; and by the " influence you obtain from some degree of concurrence with them at present, you may be enabled to set them right hereafter."

Thus the leaders are at first drawn to a connivance with sentiments and proceedings, often totally different from their serious and deliberate notions.

notions. But their acquiescence answers every purpose.

With no better than such powers, the go-betweens assume a new representative character. What at best was but an acquiescence, is magnified into an authority, and thence into a desire on the part of the leaders; and it is carried down as such to the subordinate members of parties. By this artifice they in their turn are led into measures which at first, perhaps, few of them wished at all, or at least did not desire vehemently or systematically.

There is in all parties, between the principal leaders in parliament, and the lowest followers out of doors, a middle sort of men; a sort of equestrian order, who, by the spirit of that middle situation, are the fittest for preventing things from running to excess. But indecision, though a vice of a totally different character, is the natural accomplice of violence. The irresolution and timidity of those, who compose this middle order, often prevent the effect of their controlling situation. The fear of differing with the authority of leaders on the one hand, and of contradicting the desires of the multitude on the other, induces them to give a careless and passive assent to measures in which they never were consulted: and thus things proceed, by a sort of activity of inertness, until whole bodies, leaders, middle men, and followers, are all
hurried,

hurried, with every appearance, and with many of the effects, of unanimity, into schemes of politicks, in the substance of which no two of them were ever fully agreed, and the origin and authors of which, in this circular mode of communication, none of them find it possible to trace. In my experience I have seen much of this in affairs, which, though trifling in comparison to the present, were yet of some importance to parties; and I have known them suffer by it. The sober part give their sanction, at first through inattention and levity; at last they give it through necessity. A violent spirit is raised, which the presiding minds, after a time, find it impracticable to stop at their pleasure, to controul, to regulate, or even to direct.

This shews, in my opinion, how very quick and awakened all men ought to be, who are looked up to by the publick, and who deserve that confidence, to prevent a surprise on their opinions, when dogmas are spread, and projects pursued, by which the foundations of society may be affected. Before they listen even to moderate alterations in the government of their country, they ought to take care that principles are not propagated for that purpose, which are too big for their object. Doctrines limited in their present application, and wide in their general principles, are never meant to be confined to what they at first pretend. If I
were

were to form a prognostick of the effect of the present machinations on the people, from their sense of any grievance they suffer under this constitution, my mind would be at ease. But there is a wide difference between the multitude, when they act against their government, from a sense of grievance, or from zeal for some opinions. When men are thoroughly possessed with that zeal, it is difficult to calculate its force. It is certain, that its power is by no means in exact proportion to its reasonableness. It must always have been discoverable by persons of reflection, but it is now obvious to the world, that a theory concerning government may become as much a cause of fanaticism as a *dogma* in religion. There is a boundary to men's passions when they act from feeling ; none when they are under the influence of imagination. Remove a grievance, and, when men act from feeling, you go a great way towards quieting a commotion. But the good or bad conduct of a government, the protection men have enjoyed, or the oppression they have suffered under it, are of no sort of moment, when a faction, proceeding upon speculative grounds, is thoroughly heated against its form. When a man is, from system, furious against monarchy or episcopacy, the good conduct of the monarch or the bishop has no other effect, than further to irritate the adversary. He is provoked at it as furnishing a plea for preserving the

the

the thing which he wishes to destroy. His mind will be heated as much by the sight of a sceptre, a mace, or a verge, as if he had been daily bruised and wounded by these symbols of authority. Mere spectacles, mere names, will become sufficient causes to stimulate the people to war and tumult.

Some gentlemen are not terrified by the facility with which government has been overturned in France. The people of France, they say, had nothing to lose in the destruction of a bad constitution; but, though not the best possible, we have still a good stake in ours, which will hinder us from desperate risks. Is this any security at all against those who seem to persuade themselves, and who labour to persuade others, that our constitution is an usurpation in its origin, unwise in its contrivance, mischievous in its effects, contrary to the rights of man, and in all its parts a perfect nuisance? What motive has any rational man, who thinks in that manner, to spill his blood, or even to risk a shilling of his fortune, or to waste a moment of his leisure, to preserve it? If he has any duty relative to it, his duty is to destroy it. A constitution on sufferance is a constitution condemned. Sentence is already passed upon it. The execution is only delayed. On the principles of these gentlemen it neither has, nor ought to have, any security. So far as regards them, it is left
naked,

naked, without friends, partisans, assertors, or protectors.

Let us examine into the value of this security upon the principles of those who are more sober; of those who think, indeed, the French constitution better, or at least as good, as the British, without going to all the lengths of the warmer politicians in reprobating their own. Their security amounts in reality to nothing more than this;—that the difference between their republican system and the British limited monarchy is not worth a civil war. This opinion, I admit, will prevent people, not very enterprising in their nature, from an active undertaking against the British constitution. But it is the poorest defensive principle that ever was infused into the mind of man against the attempts of those who will enterprise. It will tend totally to remove from their minds that very terror of a civil war which is held out as our sole security. They who think so well of the French constitution, certainly will not be the persons to carry on a war to prevent their obtaining a great benefit, or at worst a fair exchange. They will not go to battle in favour of a cause in which their defeat might be more advantageous to the publick than their victory. They must at least tacitly abet those who endeavour to make converts to a sound opinion; they must discountenance those who would oppose its propagation. In proportion as

by these means the enterprising party is strengthened, the dread of a struggle is lessened. See what an encouragement this is to the enemies of the constitution ! A few assassinations, and a very great destruction of property, we know they consider as no real obstacles in the way of a grand political change. And they will hope, that here, if antimonarchical opinions gain ground, as they have done in France, they may, as in France, accomplish a revolution without a war.

They who think so well of the French constitution cannot be seriously alarmed by any progress made by its partisans. Provisions for security are not to be received from those who think that there is no danger. No ! there is no plan of security to be listened to but from those who entertain the same fears with ourselves ; from those who think that the thing to be secured is a great blessing ; and the thing against which we would secure it a great mischief. Every person of a different opinion must be careless about security.

I believe the author of the Reflections, whether he fears the designs of that set of people with reason or not, cannot prevail on himself to despise them. He cannot despise them for their numbers, which, though small, compared with the sound part of the community, are not inconsiderable : he cannot look with contempt on their influence, their activity, or the kind of talents and tempers
which

which they possess, exactly calculated for the work they have in hand, and the minds they chiefly apply to. Do we not see their most considerable and accredited ministers, and several of their party of weight and importance, active in spreading mischievous opinions, in giving sanction to seditious writings, in promoting seditious anniversaries? and what part of their description has disowned them or their proceedings? When men, circumstanced as these are, publicly declare such admiration of a foreign constitution, and such contempt of our own, it would be, in the author of the *Reflections*, thinking as he does of the French constitution, infamously to cheat the rest of the nation to their ruin, to say there is no danger.

In estimating danger, we are obliged to take into our calculation the character and disposition of the enemy into whose hands we may chance to fall. The genius of this faction is easily discerned, by observing with what a very different eye they have viewed the late foreign revolutions. Two have passed before them. That of France and that of Poland. The state of Poland was such, that there could scarcely exist two opinions, but that a reformation of its constitution, even at some expense of blood, might be seen without much disapprobation. No confusion could be feared in such an enterprise; because the establishment to be reformed was itself a state of confusion. A king without
R 2 authority;

authority ; nobles without union or subordination ; a people without arts, industry, commerce, or liberty ; no order within, no defence without ; no effective publick force, but a foreign force, which entered a naked country at will, and disposed of every thing at pleasure. Here was a state of things which seemed to invite, and might perhaps justify bold enterprise and desperate experiment. But in what manner was this chaos brought into order ? The means were as striking to the imagination, as satisfactory to the reason, and soothing to the moral sentiments. In contemplating that change, humanity has every thing to rejoice and to glory in ; nothing to be ashamed of, nothing to suffer. So far as it has gone, it probably is the most pure and defecated publick good which ever has been conferred on mankind. We have seen anarchy and servitude at once removed ; a throne strengthened for the protection of the people, without trenching on their liberties ; all foreign cabal banished, by changing the Crown from elective to hereditary ; and what was a matter of pleasing wonder, we have seen a reigning king, from an heroick love to his country, exerting himself with all the toil, the dexterity, the management, the intrigue, in favour of a family of strangers, with which ambitious men labour for the aggrandizement of their own. Ten millions of men in a way of being freed gradually, and therefore safely to themselves

and

and the state, not from civil or political chains, which, bad as they are, only fetter the mind, but from substantial personal bondage. Inhabitants of cities, before without privileges, placed in the consideration which belongs to that improved and connecting situation of social life. One of the most proud, numerous, and fierce bodies of nobility and gentry ever known in the world, arranged only in the foremost rank of free and generous citizens. Not one man incurred loss, or suffered degradation. All, from the king to the day-labourer, were improved in their condition. Every thing was kept in its place and order; but in that place and order every thing was bettered. To add to this happy wonder (this unheard-of conjunction of wisdom and fortune) not one drop of blood was spilled; no treachery; no outrage; no system of slander more cruel than the sword; no studied insults on religion, morals, or manners; no spoil; no confiscation; no citizen beggared; none imprisoned; none exiled: the whole was effected with a policy, a discretion, an unanimity and secrecy, such as have never been before known on any occasion; but such wonderful conduct was reserved for this glorious conspiracy in favour of the true and genuine rights and interests of men. Happy people, if they know how to proceed as they have begun! Happy prince, worthy to

begin with splendour, or to close with glory, a race of patriots and of kings : and to leave

*A name, which ev'ry wind to heav'n would bear,
Which men to speak, and angels joy to hear.*

To finish all—this great good, as in the instant it is, contains in it the seeds of all further improvement ; and may be considered as in a regular progress, because founded on similar principles, towards the stable excellency of a British constitution.

Here was a matter for congratulation and for festive remembrance through ages. Here moralists and divines might indeed relax in their temperance, to exhilarate their humanity. But mark the character of our faction. All their enthusiasm is kept for the French Revolution. They cannot pretend that France had stood so much in need of a change as Poland. They cannot pretend that Poland has not obtained a better system of liberty, or of government, than it enjoyed before. They cannot assert, that the Polish Revolution cost more dearly than that of France to the interests and feelings of multitudes of men. But the cold and subordinate light in which they look upon the one, and the pains they take to preach up the other of these revolutions, leave us no choice in fixing on their motives.

motives. Both revolutions profess liberty as their object ; but in obtaining this object the one proceeds from anarchy to order ; the other from order to anarchy. The first secures its liberty by establishing its throne ; the other builds its freedom on the subversion of its monarchy. In the one their means are unstained by crimes, and their settlement favours morality. In the other, vice and confusion are in the very essence of their pursuit, and of their enjoyment. The circumstances in which these two events differ, must cause the difference we make in their comparative estimation. These turn the scale with the societies in favour of France. *Ferrum est quod amant.* The frauds, the violences, the sacrileges, the havock and ruin of families, the dispersion and exile of the pride and flower of a great country, the disorder, the confusion, the anarchy, the violation of property, the cruel murders, the inhuman confiscations, and in the end the insolent domination of bloody, ferocious, and senseless clubs—These are the things which they love and admire. What men admire and love, they would surely act. Let us see what is done in France ; and then let us undervalue any the slightest danger of falling into the hands of such a merciless and savage faction !

‘ But the leaders of the factious societies are too wild to succeed in this their undertaking.’ I hope

so. But supposing them wild and absurd, is there no danger but from wise and reflecting men? Perhaps the greatest mischiefs that have happened in the world have happened from persons as wild as those we think the wildest. In truth, they are the fittest beginners of all great changes. Why encourage men in a mischievous proceeding, because their absurdity may disappoint their malice? 'But noticing them may give them consequence.' Certainly. But they are noticed; and they are noticed, not with reproof, but with that kind of countenance which is given by an *apparent* concurrence (not a *real* one, I am convinced) of a great party, in the praises of the object which they hold out to imitation.

But I hear a language still more extraordinary, and indeed of such a nature as must suppose, or leave, us at their mercy. It is this—'You know their promptitude in writing, and their diligence in caballing; to write, speak, or act against them, will only stimulate them to new efforts.'—This way of considering the principle of their conduct pays but a poor compliment to these gentlemen. They pretend that their doctrines are infinitely beneficial to mankind: but it seems they would keep them to themselves, if they were not greatly provoked. They are benevolent from spite. Their oracles are like those of *Proteus* (whom some people think

think they resemble in many particulars) who never would give his responses unless you used him as ill as possible. These cats, it seems, would not give out their electrical light without having their backs well rubbed. But this is not to do them perfect justice. They are sufficiently communicative. Had they been quiet, the propriety of any agitation of topics on the origin and primary rights of government, in opposition to their private sentiments, might possibly be doubted. But, as it is notorious, that they were proceeding as fast, and as far, as time and circumstances would admit, both in their discussions and cabals—as it is not to be denied, that they had opened a correspondence with a foreign faction, the most wicked the world ever saw, and established anniversaries to commemorate the most monstrous, cruel, and perfidious of all the proceedings of that faction—the question is, whether their conduct was to be regarded in silence, lest our interference should render them outrageous? Then let them deal as they please with the constitution. Let the lady be passive, lest the ravisher should be driven to force. Resistance will only increase his desires. Yes, truly, if the resistance be feigned and feeble. But they who are wedded to the constitution will not act the part of wittols. They will drive such seducers from the house on the first appearance of their love-letters and offered assignations. But if
the

the author of the Reflections, though a vigilant, was not a discreet guardian of the constitution, let those, who have the same regard to it, shew themselves as vigilant and more skilful in repelling the attacks of seduction or violence. Their freedom from jealousy is equivocal, and may arise as well from indifference to the object, as from confidence in her virtue.

On their principle, it is the resistance, and not the assault, which produces the danger. I admit, indeed, that if we estimated the danger by the value of the writings, it would be little worthy of our attention : contemptible these writings are in every sense. But they are not the cause, they are the disgusting symptoms, of a frightful distemper. They are not otherwise of consequence than as they shew the evil habit of the bodies from whence they come. In that light the meanest of them is a serious thing. If however I should under-rate them ; and if the truth is, that they are not the result, but the cause of the disorders I speak of, surely those who circulate operative poisons, and give, to whatever force they have by their nature, the further operation of their authority and adoption, are to be censured, watched, and, if possible, repressed.

At what distance the direct danger from such factions may be, it is not easy to fix. An adaptation of circumstances to designs and principles
is

is necessary. But these cannot be wanting for any long time in the ordinary course of sublunary affairs. Great discontents frequently arise in the best constituted governments from causes which no human wisdom can foresee, and no human power can prevent. They occur at uncertain periods, but at periods which are not commonly far asunder. Governments of all kinds are administered only by men; and great mistakes, tending to inflame these discontents, may concur. The indecision of those who happen to rule at the critical time, their supine neglect, or their precipitate and ill-judged attention, may aggravate the publick misfortunes. In such a state of things, the principles, now only sown, will shoot out and vegetate in full luxuriance. In such circumstances the minds of the people become sore and ulcerated. They are put out of humour with all publick men, and all publick parties; they are fatigued with their dissensions; they are irritated at their coalitions; they are made easily to believe, (what much pains are taken to make them believe) that all oppositions are factious, and all courtiers base and servile. From their disgust at men, they are soon led to quarrel with their frame of government, which they presume gives nourishment to the vices, real or supposed, of those who administer to it. Mistaking malignity for sagacity, they are soon led to cast off all hope from a good administration

administration of affairs, and come to think that all reformation depends, not on the change of actors, but upon an alteration in the machinery. Then will be felt the full effect of encouraging doctrines which tend to make the citizens despise their constitution. Then will be felt the plenitude of the mischief of teaching the people to believe, that all ancient institutions are the results of ignorance ; and that all prescriptive government is in its nature usurpation. Then will be felt, in all its energy, the danger of encouraging a spirit of litigation in persons of that immature and imperfect state of knowledge which serves to render them susceptible of doubts, but incapable of their solution. Then will be felt, in all its aggravation, the pernicious consequence of destroying all docility in the minds of those who are not formed for finding their own way in the labyrinths of political theory, and are made to reject the clue, and to disdain the guide. Then will be felt, and too late will be acknowledged, the ruin which follows the disjoining of religion from the state ; the separation of morality from policy ; and the giving conscience no concern and no coactive or coercive force in the most material of all the social ties, the principle of our obligations to government.

I know too, that besides this vain, contradictory, and self-destructive security, which some men derive from the habitual attachment of the people

people to this constitution, whilst they suffer it with a sort of sportive acquiescence to be brought into contempt before their faces, they have other grounds for removing all apprehension from their minds. They are of opinion, that there are too many men of great hereditary estates and influence in the kingdom, to suffer the establishment of the levelling system which has taken place in France. This is very true, if in order to guide the power, which now attends their property, these men possess the wisdom which is involved in early fear. But if through a supine security, to which such fortunes are peculiarly liable, they neglect the use of their influence in the season of their power, on the first derangement of society, the nerves of their strength will be cut. Their estates, instead of being the means of their security, will become the very causes of their danger. Instead of bestowing influence they will excite rapacity. They will be looked to as a prey.

Such will be the impotent condition of those men of great hereditary estates, who indeed dislike the designs that are carried on, but whose dislike is rather that of spectators, than of parties that may be concerned in the catastrophe of the piece. But riches do not in all cases secure even an inert and passive resistance. There are always, in that description, men whose fortunes, when their minds are once vitiated by passion or by evil principle,

principle, are by no means a security from their actually taking their part against the public tranquillity. We see to what low and despicable passions of all kinds many men in that class are ready to sacrifice the patrimonial estates, which might be perpetuated in their families with splendour, and with the fame of hereditary benefactors to mankind from generation to generation. Do we not see how lightly people treat their fortunes, when under the influence of the passion of gaming? The game of ambition or resentment will be played by many of the rich and great, as desperately, and with as much blindness to the consequences, as any other game. Was he a man of no rank or fortune, who first set on foot the disturbances which have ruined France? Passion blinded him to the consequences, so far as they concerned himself; and as to the consequences with regard to others, they were no part of his consideration; nor ever will be with those who bear any resemblance to that virtuous patriot and lover of the rights of man.

There is also a time of insecurity, when interests of all sorts become objects of speculation. Then it is, that their very attachment to wealth and importance will induce several persons of opulence to list themselves, and even to take a lead with the party which they think most likely to prevail, in order to obtain to themselves consideration in
some

some new order or disorder of things. They may be led to act in this manner, that they may secure some portion of their own property ; and perhaps to become partakers of the spoil of their own order. Those, who speculate on change, always make a great number among people of rank and fortune, as well as amongst the low and the indigent.

What security against all this?—All human securities are liable to uncertainty. But if any thing bids fair for the prevention of so great a calamity, it must consist in the use of the ordinary means of just influence in society, whilst those means continue unimpaired. The public judgment ought to receive a proper direction. All weighty men may have their share in so good a work. As yet, notwithstanding the strutting and lying independence of a braggart philosophy, nature maintains her rights, and great names have great prevalence. Two such men as Mr. Pitt and Mr. Fox, adding to their authority in a point in which they concur, even by their disunion in every thing else, might frown these wicked opinions out of the kingdom. But if the influence of either of them, or the influence of men like them, should, against their serious intentions, be otherwise perverted, they may countenance opinions which (as I have said before, and could wish over and over again to press) they may in vain attempt to controul.

In

In their theory, these doctrines admit no limit, no qualification whatsoever. No man can say how far he will go, who joins with those who are avowedly going to the utmost extremities. What security is there for stopping short at all in these wild conceits? Why, neither more nor less than this—that the moral sentiments of some few amongst them do put some check on their savage theories. But let us take care. The moral sentiments, so nearly connected with early prejudice as to be almost one and the same thing, will assuredly not live long under a discipline, which has for its basis the destruction of all prejudices, and the making the mind proof against all dread of consequences flowing from the pretended truths that are taught by their philosophy.

In this school the moral sentiments must grow weaker and weaker every day. The more cautious of these teachers, in laying down their maxims, draw as much of the conclusion as suits, not with their premises, but with their policy. They trust the rest to the sagacity of their pupils. Others, and these are the most vaunted for their spirit, not only lay down the same premises, but boldly draw the conclusions to the destruction of our whole constitution in church and state. But are these conclusions truly drawn? Yes, most certainly. The principles are wild and wicked. But let justice be done even to phrensy and villainy. These
teachers

teachers are perfectly systematick. No man who assumes their grounds can tolerate the British constitution in church or state. These teachers profess to scorn all mediocrity; to engage for perfection; to proceed by the simplest and shortest course. They build their politicks, not on convenience but on truth; and they profess to conduct men to certain happiness by the assertion of their undoubted rights. With them there is no compromise. All other governments are usurpations, which justify and even demand resistance.

Their principles always go to the extreme. They who go with the principles of the ancient whigs, which are those contained in Mr. Burke's book, never can go too far. They may indeed stop short of some hazardous and ambiguous excellence, which they will be taught to postpone to any reasonable degree of good they may actually possess. The opinions maintained in that book never can lead to an extreme, because their foundation is laid in an opposition to extremes. The foundation of government is there laid, not in imaginary rights of men, (which at best is a confusion of judicial with civil principles) but in political convenience, and in human nature; either as that nature is universal, or as it is modified by local habits and social aptitudes. The foundation of government (those who have read that book will recollect) is laid in a provision for our wants, and in a conformity to

our duties ; it is to purvey for the one ; it is to enforce the other. These doctrines do of themselves gravitate to a middle point, or to some point near a middle. They suppose indeed a certain portion of liberty to be essential to all good government ; but they infer that this liberty is to be blended into the government ; to harmonize with its forms and its rules ; and to be made subordinate to its end. Those who are not with that book are with its opposite. For there is no medium besides the medium itself. That medium is not such, because it is found there ; but it is found there because it is conformable to truth and nature. In this we do not follow the author ; but we and the author travel together upon the same safe and middle path.

The theory contained in his book is not to furnish principles for making a new constitution, but for illustrating the principles of a constitution already made. It is a theory drawn from the *fact* of our government. They who oppose it are bound to shew, that his theory militates with that fact. Otherwise, their quarrel is not with his book, but with the constitution of their country. The whole scheme of our mixed constitution is to prevent any one of its principles from being carried as far, as taken by itself, and theoretically, it would go. Allow that to be the true policy of the British system, then most of the faults with which that system stands

stands charged will appear to be, not imperfections into which it has inadvertently fallen, but excellencies which it has studiously sought. To avoid the perfections of extreme, all its several parts are so constituted, as not alone to answer their own several ends, but also each to limit and controul the others: insomuch, that take which of the principles you please—you will find its operation checked and stopped at a certain point. The whole movement stands still rather than that any part should proceed beyond its boundary. From thence it results, that in the British constitution, there is a perpetual treaty and compromise going on, sometimes openly, sometimes with less observation. To him who contemplates the British constitution, as to him who contemplates the subordinate material world, it will always be a matter of his most curious investigation, to discover the secret of this mutual imitation.

——— *Finita potestas denique cuique
Quanam sit ratione, atque alte terminus hærens?*

They who have acted, as in France they have done, upon a scheme wholly different, and who aim at the abstract and unlimited perfection of power in the popular part, can be of no service to us in any of our political arrangements. They, who in their headlong career have overpassed the goal,

can furnish no example to those who aim to go no further. The temerity of such speculators is no more an example than the timidity of others. The one sort scorns the right; the others fear it; both miss it. But those, who by violence go beyond the barrier, are without question the most mischievous; because to go beyond it they overturn and destroy it. To say they have spirit, is to say nothing in their praise. The untempered spirit of madness, blindness, immorality, and impiety, deserves no commendation. He that sets his house on fire because his fingers are frost-bitten, can never be a fit instructor in the method of providing our habitations with a cheerful and salutary warmth. We want no foreign examples to rekindle in us the flame of liberty. The example of our own ancestors is abundantly sufficient to maintain the spirit of freedom in its full vigour, and to qualify it in all its exertions. The example of a wise, moral, well-natured, and well-tempered spirit of freedom, is that alone which can be useful to us, or in the least degree reputable or safe. Our fabrick is so constituted, one part of it bears so much on the other; the parts are so made for one another, and for nothing else, that to introduce any foreign matter into it, is to destroy it.

What has been said of the Roman empire, is at least as true of the British constitution—
“Octingentorum annorum fortuna, disciplinae,
“ compages

"compages hæc coaluit; quæ convelli sine convellentium exitio non potest."—This British constitution has not been struck out at a heat by a set of presumptuous men, like the assembly of pettifoggers run mad in Paris.

*"'Tis not the hasty product of a day,
But the well-ripen'd fruit of wise delay."*

It is the result of the thoughts of many minds, in many ages. It is no simple, no superficial thing; nor to be estimated by superficial understandings. An ignorant man, who is not fool enough to meddle with his clock, is however sufficiently confident to think he can safely take to pieces, and put together at his pleasure, a moral machine of another guise, importance and complexity, composed of far other wheels, and springs, and balances, and counteracting and co-operating powers. Men little think how immorally they act in rashly meddling with what they do not understand. Their delusive good intention is no sort of excuse for their presumption. They who truly mean well must be fearful of acting ill. The British constitution may have its advantages pointed out to wise and reflecting minds; but it is of too high an order of excellence to be adapted to those which are common. It takes in too many views, it makes too many combinations, to be so much as

comprehended by shallow and superficial understandings. Profound thinkers will know it in its reason and spirit. The less inquiring will recognise it in their feelings and their experience. They will thank God they have a standard, which, in the most essential point of this great concern, will put them on a par with the most wise and knowing.

If we do not take to our aid the foregone studies of men reputed intelligent and learned, we shall be always beginners. But men must learn somewhere; and the new teachers mean no more than what they effect, as far as they succeed, that is, to deprive men of the benefit of the collected wisdom of mankind, and to make them blind disciples of their own particular presumption. Talk to these deluded creatures (all the disciples and most of the masters) who are taught to think themselves so newly fitted up and furnished, and you will find nothing in their houses but the refuse of *Knave's Acre*; nothing but the rotten stuff, worn out in the service of delusion and sedition in all ages, and which being newly furbished up, patched, and varnished, serves well enough for those who being unacquainted with the conflict which has always been maintained between the sense and the nonsense of mankind, know nothing of the former existence and the ancient refutation of the same follies. It is nearly two thousand years since it has been observed, that these devices of ambition, avarice, and
turbulence,

turbulence, were antiquated. They are, indeed, the most ancient of all common-places ; common-places, sometimes of good and necessary causes ; more frequently of the worst, but which decide upon neither.—*Eadem semper causa, libido et avaritia, et mutandarum rerum amor.*—*Ceterum libertas et speciosa nomina pretextuntur ; nec quisquam alienum servitium, et dominationem sibi concupivit, ut non eadem ista vocabula usurparet.*

Rational and experienced men tolerably well know, and have always known, how to distinguish between true and false liberty ; and between the genuine adherence and the false pretence to what is true. But none, except those who are profoundly studied, can comprehend the elaborate contrivance of a fabrick fitted to unite private and publick liberty with publick force, with order, with peace, with justice, and, above all, with the institutions formed for bestowing permanence and stability, through ages, upon this invaluable whole.

Place, for instance, before your eyes, such a man as Montesquieu. Think of a genius not born in every country, or every time ; a man gifted by nature with a penetrating, aquiline eye ; with a judgment prepared with the most extensive erudition ; with an herculean robustness of mind, and nerves not to be broken with labour ; a man who could spend twenty years in one pursuit. Think of a man, like the universal patriarch in Milton

(who had drawn up before him in his prophetick vision the whole series of the generations which were to issue from his loins) a man capable of placing in review, after having brought together, from the east, the west, the north and the south, from the coarseness of the rudest barbarism to the most refined and subtle civilization, all the schemes of goernvment which had ever prevailed amongst mankind, weighing, measuring, collating, and comparing them all, joining fact with theory, and calling into council, upon all this infinite assemblage of things, all the speculations which have fatigued the understandings of profound reasoners in all times!—Let us then consider, that all these were but so many preparatory steps to qualify a man, and such a man, tinctured with no national prejudice, with no domestick affection, to admire, and to hold out to the admiration of mankind the constitution of England! And shall we Englishmen revoke to such a suit? Shall we, when so much more than he has produced, remains still to be understood and admired, instead of keeping ourselves in the schools of real science, choose for our teachers men incapable of being taught, whose only claim to know is, that they have never doubted; from whom we can learn nothing but their own indocility; who would teach us to scorn what in the silence of our hearts we ought to adore?

Different from them are all the great criticks.

They

They have taught us one essential rule. I think the excellent and philosophick artist, a true judge, as well as a perfect follower of nature, Sir Joshua Reynolds, has somewhere applied it, or something like it, in his own profession. It is this, that if ever we should find ourselves disposed not to admire those writers or artists, Livy and Virgil for instance, Raphael or Michael Angelo, whom all the learned had admired, not to follow our own fancies, but to study them until we know how and what we ought to admire; and if we cannot arrive at this combination of admiration with knowledge, rather to believe that we are dull, than that the rest of the world has been imposed on. It is as good a rule, at least, with regard to this admired constitution. We ought to understand it according to our measure; and to venerate where we are not able presently to comprehend.

Such admirers were our fathers, to whom we owe this splendid inheritance. Let us improve it with zeal, but with fear. Let us follow our ancestors, men not without a rational, though without an exclusive confidence in themselves; who, by respecting the reason of others, who, by looking backward as well as forward, by the modesty as well as by the energy of their minds, went on, insensibly drawing this constitution nearer and nearer to its perfection, by never departing from its fundamental principles, nor introducing any
amendment

amendment which had not a subsisting root in the laws, constitution, and usages of the kingdom. Let those who have the trust of political or of natural authority ever keep watch against the desperate enterprises of innovation : let even their benevolence be fortified and armed. They have before their eyes the example of a monarch, insulted, degraded, confined, deposed ; his family dispersed, scattered, imprisoned ; his wife insulted to his face like the vilest of the sex, by the vilest of all populace ; himself three times dragged by these wretches in an infamous triumph ; his children torn from him, in violation of the first right of nature, and given into the tuition of the most desperate and impious of the leaders of desperate and impious clubs ; his revenues dilapidated and plundered ; his magistrates murdered ; his clergy proscribed, persecuted, famished ; his nobility degraded in their rank, undone in their fortunes, fugitives in their persons ; his armies corrupted and ruined ; his whole people impoverished, disunited, dissolved ; whilst through the bars of his prison, and amidst the bayonets of his keepers, he hears the tumult of two conflicting factions, equally wicked and abandoned, who agree in principles, in dispositions, and in objects, but who tear each other to pieces about the most effectual means of obtaining their common end ; the one contending to preserve for a while his name, and his person, the
more

more easily to destroy the royal authority—the other clamouring to cut off the name, the person, and the monarchy together, by one sacrilegious execution. All this accumulation of calamity, the greatest that ever fell upon one man, has fallen upon his head, because he had left his virtues unguarded by caution ; because he was not taught that, where power is concerned, he who will confer benefits must take security against ingratitude.

I have stated the calamities which have fallen upon a great prince and nation, because they were not alarmed at the approach of danger, and because, what commonly happens to men surprised, they lost all resource when they were caught in it. When I speak of danger, I certainly mean to address myself to those who consider the prevalence of the new whig doctrines as an evil.

The whigs of this day have before them, in this Appeal, their constitutional ancestors ; they have the doctors of the modern school. They will choose for themselves. The author of the Reflections has chosen for himself. If a new order is coming on, and all the political opinions must pass away as dreams, which our ancestors have worshipped as revelations, I say for him, that he would rather be the last (as certainly he is the least) of that race of men, than the first and greatest of those who have coined to themselves whig principles from a French die, unknown to the impress of our fathers in the constitution.

A LETTER
TO
A PEER OF IRELAND,
ON
THE PENAL LAWS
AGAINST
IRISH CATHOLICKS;
PREVIOUS TO THE LATE REPEAL OF A PART THEREOF,
IN THE
SESSION OF THE IRISH PARLIAMENT,
HELD A.D. 1782.

LETTER,

&c. &c.

Charles-street, London, Feb. 21, 1782.

MY LORD,

I AM obliged to your lordship for your communication of the heads of Mr. Gardiner's bill. I had received it, in an earlier stage of its progress, from Mr. Braughall ; and I am still in that gentleman's debt, as I have not made him the proper return for the favour he has done me. Business, to which I was more immediately called, and in which my sentiments had the weight of one vote, occupied me every moment since I received his letter. This first morning, which I can call my own, I give with great cheerfulness to the subject on which your lordship has done me the honour of desiring my opinion. I have read the heads of the bill, with the amendments. Your lordship is too well acquainted with men, and with affairs, to imagine that any true judgment can be formed on the value of a great measure of policy from the perusal of a piece of paper. At present I am much in the dark with regard to the state of the country, which
the

the intended law is to be applied to*. It is not easy for me to determine whether or no it was wise (for the sake of expunging the black letter of laws, which, menacing as they were in the language, were every day fading into disuse) solemnly to re-affirm the principles, and to re-enact the provisions, of a code of statutes, by which you are totally excluded from THE PRIVILEGES OF THE COMMONWEALTH, from the highest to the lowest, from the most material of the civil professions, from the army, and even from education, where alone education is to be had.

Whether this scheme of indulgence, grounded at once on contempt and jealousy, has a tendency gradually to produce something better and more liberal, I cannot tell, for want of having the actual map of the country. If this should be the case, it was right in you to accept it, such as it is. But if this should be one of the experiments, which have sometimes been made before the temper of the nation was ripe for a real reformation, I think it may possibly have ill effects, by disposing the penal matter in a more systematick order, and thereby fixing a permanent bar against any relief that is truly substantial. The whole merit or demerit of the

* The sketch of the bill sent to Mr. Burke, along with the repeal of some acts, re-affirmed many others in the penal code. It was altered afterwards, and the clauses re-affirming the incapacities left out ; but they all still exist, and are in full force

measure depends upon the plans and dispositions of those by whom the act was made, concurring with the general temper of the Protestants of Ireland, and their aptitude to admit in time of some part of that equality, without which you never can be FELLOW-CITIZENS.—Of all this I am wholly ignorant. All my correspondence with men of publick importance in Ireland has for some time totally ceased. On the first bill for the relief of the ROMAN CATHOLICKS of Ireland, I was, without any call of mine, consulted both on your side of the water and on this. On the present occasion, I have not heard a word from any man in office; and know as little of the intentions of the British government, as I know of the temper of the Irish parliament. I do not find that any opposition was made by the principal persons of the minority in the house of commons, or that any is apprehended from them in the house of lords. The whole of the difficulty seems to lie with the principal men in government, under whose protection this bill is supposed to be brought in. This violent opposition and cordial support, coming from one and the same quarter, appears to me something mysterious, and hinders me from being able to make any clear judgment of the merit of the present measure, as compared with the actual state of the country, and the general views of government, without which one can say nothing that may not be very erroneous.

To look at the bill, in the abstract, it is neither more nor less than a renewed act of UNIVERSAL, UNMITIGATED, INDISPENSABLE, EXCEPTIONLESS DISQUALIFICATION.

One would imagine, that a bill, inflicting such a multitude of incapacities, had followed on the heels of a conquest, made by a very fierce enemy, under the impression of recent animosity and resentment. No man, on reading that bill, could imagine he was reading an act of amnesty and indulgence, following a recital of the good behaviour of those who are the objects of it: which recital stood at the head of the bill, as it was first introduced: but, I suppose for its incongruity with the body of the piece, was afterwards omitted.—This I say on memory. It however still recites the oath, and that Catholicks ought to be considered as good and loyal subjects to his majesty, his crown and government. Then follows an universal exclusion of those GOOD and LOYAL subjects from every (even the lowest) office of trust and profit; from any vote at an election; from any privilege in a town corporate; from being even a freeman of such a corporation; from serving on grand juries; from a vote at a vestry; from having a gun in his house; from being a barrister, attorney, or solicitor, &c. &c. &c.

This has surely much more the air of a table of proscription, than an act of grace. What must we suppose the laws concerning those *good* subjects to have

have been, of which this is a relaxation? I know well that there is a cant language current, about the difference between an exclusion from employments even to the most rigorous extent, and an exclusion from the natural benefits arising from a man's own industry. I allow, that under some circumstances, the difference is very material in point of justice, and that there are considerations which may render it advisable for a wise government to keep the leading parts of every branch of civil and military administration in hands of the best trust; but a total exclusion from the commonwealth is a very different thing. When a government subsists (as governments formerly did) on an estate of its own, with but few and inconsiderable revenues drawn from the subject, then the few officers which existed in such establishments were naturally at the disposal of that government, which paid the salaries out of its own coffers; there an exclusive preference could hardly merit the name of proscription. Almost the whole produce of a man's industry at that time remained in his own purse to maintain his family. But times alter, and the *whole* estate of government is from private contribution. When a very great portion of the labour of individuals goes to the state, and is by the state again refunded to individuals, through the medium of offices, and in this circuitous progress from the private to the publick, and from the

publick again to the private fund, the families from whom the revenue is taken are indemnified, and an equitable balance between the government and the subject is established. But if a great body of the people, who contribute to this state lottery, are excluded from all the prizes, the stopping the circulation with regard to them may be a most cruel hardship; amounting in effect to being double and treble taxed; and it will be felt as such to the very quick by all the families high and low of those hundreds of thousands, who are denied their chance in the returned fruits of their own industry. This is the thing meant by those who look upon the public revenue only as a spoil; and will naturally wish to have as few as possible concerned in the division of the booty. If a state should be so unhappy as to think it cannot subsist without such a barbarous proscription, the persons so proscribed ought to be indemnified by the remission of a large part of their taxes, by an immunity from the offices of publick burden, and by an exemption from being pressed into any military or naval service.

Common sense and common justice dictate this at least, as some sort of compensation to a people for their slavery. How many families are incapable of existing, if the little offices of the revenue, and little military commissions are denied them! To deny them at home, and to make the happiness

ness of acquiring some of them somewhere else, felony, or high treason, is a piece of cruelty, in which, till very lately; I did not suppose this age capable of persisting. Formerly a similarity of religion made a sort of country for a man in some quarter or other. A refugee for religion was a protected character. Now, the reception is cold indeed; and therefore as the asylum abroad is destroyed, the hardship at home is doubled. This hardship is the more intolerable, because the professions are shut up. The church is so of course. Much is to be said on that subject, in regard to them, and to the protestant dissenters. But that is a chapter by itself. I am sure I wish well to that church, and think its ministers among the very best citizens of your country. However, such as it is, a great walk in life is forbidden ground to seventeen hundred thousand of the inhabitants of Ireland. Why are they excluded from the law? Do not they expend money in their suits? Why may not they indemnify themselves, by profiting, in the persons of some, for the losses incurred by others? Why may not they have persons of confidence, whom they may, if they please, employ in the agency of their affairs? The exclusion from the law, from grand juries, from sheriff-ships, and under-sheriff-ships, as well as from freedom in any corporation, may subject them to dreadful hardships, as it may exclude them wholly from all that

is beneficial, and expose them to all that is mischievous in a trial by jury. This was manifestly within my own observation, for I was three times in Ireland from the year 1760 to the year 1767, where I had sufficient means of information, concerning the inhuman proceedings (among which were many cruel murders, besides an infinity of outrages and oppressions, unknown before in a civilized age) which prevailed during that period in consequence of a pretended conspiracy among *Roman Catholics* against the king's government. I could dilate upon the mischief that may happen, from those which have happened, upon this head of disqualification, if it were at all necessary.

The head of exclusion from votes for members of parliament is closely connected with the former. When you cast your eye on the statute book, you will see that no *Catholic*, even in the ferocious acts of queen Anne, was disabled from voting on account of his religion. The only conditions required for that privilege, were the oaths of allegiance and abjuration—both oaths relative to a civil concern. Parliament has since added another oath of the same kind: and yet a house of commons adding to the securities of government, in proportion as its danger is confessedly lessened, and professing both confidence and indulgence, in effect takes away the privilege left by an act full of jealousy, and professing persecution.

The

The taking away of a vote is the taking away the shield which the subject has, not only against the oppression of power, but that worst of all oppressions, the persecution of private society, and private manners. No candidate for parliamentary influence is obliged to the least attention towards them, either in cities or counties. On the contrary, if they should become obnoxious to any bigotted or malignant people amongst whom they live, it will become the interest of those who court popular favor, to use the numberless means which always reside in magistracy and influence to oppress them. The proceedings in a certain county in Munster, during the unfortunate period I have mentioned, read a strong lecture on the cruelty of depriving men of that shield, on account of their speculative opinions. The protestants of Ireland feel well and naturally on the hardship of being bound by laws in the enacting of which they do not directly or indirectly vote. The bounds of these matters are nice, and hard to be settled in theory, and perhaps they have been pushed too far. But how they can avoid the necessary application of the principles they use in their disputes with others, to their disputes with their fellow-citizens, I know not.

It is true, the words of this act do not create a disability ; but they clearly and evidently suppose it. There are few *Catholic* freeholders to take the

benefit of the privilege, if they were permitted to partake it: but the manner in which this very right in freeholders at large is defended, is not on the idea that the freeholders do really and truly represent the people; but that all people being capable of obtaining freeholds, all those, who, by their industry and sobriety merit this privilege, have the means of arriving at votes. It is the same with the corporations.

The laws against foreign education are clearly the very worst part of the old code. Besides your laity, you have the succession of about 4000 clergymen to provide for. These, having no lucrative objects in prospect, are taken very much out of the lower orders of the people. At home, they have no means whatsoever provided for their attaining a clerical education, or indeed any education at all. When I was in Paris, about seven years ago, I looked at every thing, and lived with every kind of people, as well as my time admitted. I saw there the Irish college of the Lombard, which seemed to me a very good place of education, under excellent orders and regulations, and under the government of a very prudent and learned man (the late Dr. KELLY). This college was possessed of an annual fixed revenue of more than a thousand pounds a year; the greatest part of which had arisen from the legacies and benefactions of persons educated in that college, and who had obtained

obtained promotions in France, from the emolument of which promotions they made this grateful return. One in particular I remember, to the amount of ten thousand livres, annually, as it is recorded on the donor's monument in their chapel.

It has been the custom of poor persons in Ireland, to pick up such knowledge of the Latin tongue as, under the general discouragements, and occasional pursuits of magistracy, they were able to acquire ; and receiving orders at home, were sent abroad to obtain a clerical education. By officiating in petty chaplainships, and performing, now and then, certainly offices of religion for small gratuities, they received the means of maintaining themselves, until they were able to complete their education. Through such difficulties and discouragements, many of them have arrived at a very considerable proficiency, so as to be marked and distinguished abroad. These persons afterwards, by being sunk in the most abject poverty; despised and ill treated by the high orders among protestants, and not much better esteemed or treated, even by the few persons of fortune of their own persuasion ; and contracting the habits and ways of thinking of the poor and uneducated, among whom they were obliged to live, in a few years retained little or no traces of the talents and acquirements, which distinguished them in the early

early periods of their lives. Can we, with justice, cut them off from the use of places of education, founded, for the greater part, from the economy of poverty and exile, without providing something that is equivalent at home?

Whilst this restraint of foreign and domestick education was part of a horrible and impious system of servitude, the members were well fitted to the body. To render men patient, under a deprivation of all the rights of human nature, every thing which could give them a knowledge or feeling of those rights was rationally forbidden. To render humanity fit to be insulted, it was fit that it should be degraded. But when we profess to restore men to the capacity for property, it is equally irrational and unjust to deny them the power of improving their minds as well as their fortunes. Indeed, I have ever thought the prohibition of the means of improving our rational nature, to be the worst species of tyranny that the insolence and perverseness of mankind ever dared to exercise. This goes to all men, in all situations, to whom education can be denied.

Your lordship mentions a proposal which came from my friend the provost, whose benevolence and enlarged spirit I am perfectly convinced of; which is, the proposal of erecting a few sizerships in the college, for the education (I suppose) of

Roman

Roman Catholick clergymen*. He certainly meant it well ; but, coming from such a man as he is, it is a strong instance of the danger of suffering any description of men to fall into entire contempt—The charities intended for them are not perceived to be fresh insults ; and the true nature of their wants and necessities being unknown, remedies, wholly unsuitable to the nature of their complaint are provided for them. It is to feed a sick Gentoo with beef broth, and to foment his wounds with brandy. If the other parts of the university were open to them, as well on the foundation as otherwise, the offering of sizerships would be a proportioned part of a *general* kindness. But when every thing *liberal* is withheld, and only that which is *servile* is permitted, it is easy to conceive upon what footing they must be in such a place.

Mr. Hutchinson must well know the regard and honour I have for him ; and he cannot think my dissenting from him in this particular arises from a disregard of his opinion : it only shews that I think he has lived in Ireland. To have any respect for the character and person of a popish priest there——oh ! 'tis an uphill work indeed. But until we come to respect what stands in a respectable light with others, we are very deficient in the

* It appears that Mr. Hutchinson meant this only as one of the means for their relief in point of education.

temper which qualifies us to make any laws and regulations about them. It even disqualifies us from being charitable to them with any effect or judgment.

When we are to provide for the education of any body of men, we ought seriously to consider the particular functions they are to perform in life. A Roman Catholick clergyman is the minister of a very ritual religion: and by his profession subject to many restraints. His life is a life full of strict observances, and his duties are of a laborious nature towards himself, and of the highest possible trust towards others. The duty of confession alone is sufficient to set in the strongest light the necessity of his having an appropriated mode of education. The theological opinions and peculiar rights of one religion never can be properly taught in universities, founded for the purposes and on the principles of another, which in many points are directly opposite. If a Roman Catholick clergyman, intended for celibacy, and the function of confession, is not strictly bred in a seminary where these things are respected, inculcated and enforced, as sacred, and not made the subject of derision and obloquy, he will be ill fitted for the former, and the latter will be indeed in his hands a terrible instrument.

There is a great resemblance between the whole frame and constitution of the Greek and Latin churches.

churches. The secular clergy, in the former, by being married, living under little restraint, and having no particular education suited to their function, are universally fallen into such contempt, that they are never permitted to aspire to the dignities of their own church. It is not held respectful to call them *papas*, their true and ancient appellation, but those who wish to address them with civility always call them *hieromonachi*. In consequence of this disrespect, which I venture to say, in such a church, must be the consequence of a secular life, a very great degeneracy from reputable christian manners has taken place throughout almost the whole of that great member of the Christian Church.

It was so with the Latin church, before the restraint on marriage. Even that restraint gave rise to the greatest disorders before the council of Trent, which together with the emulation raised, and the good examples given by the reformed churches, wherever they were in view of each other, has brought on that happy amendment, which we see in the Latin communion, both at home and abroad.

The council of Trent has wisely introduced the discipline of seminaries, by which priests are not trusted for a clerical institution, even to the severe discipline of their colleges; but, after they pass through them, are frequently, if not for the greater part

part obliged to pass through peculiar methods, having their particular ritual function in view. It is in a great measure to this, and to similar methods used in foreign education, that the Roman Catholick clergy of Ireland, miserably provided for, living among low and ill regulated people, without any discipline of sufficient force to secure good manners, have been prevented from becoming an intolerable nuisance to the country, instead of being, as I conceive they generally are, a very great service to it.

The ministers of protestant churches require a different mode of education, more liberal and more fit for the ordinary intercourse of life. That religion having little hold on the minds of people by external ceremonies, and extraordinary observances, or separate habits of living, the clergy make up the deficiency by cultivating their minds with all kinds of ornamental learning, which the liberal provision made in England and Ireland for the parochial clergy, (to say nothing of the ample church preferments, with little or no duties annexed) and the comparative lightness of parochial duties, enables the greater part of them in some considerable degree to accomplish.

This learning, which I believe to be pretty general, together with a higher situation, and more chastened by the opinion of mankind, forms a sufficient security for the morals of the established clergy,

clergy, and for their sustaining their clerical character with dignity. It is not necessary to observe, that all these things are, however collateral to their function, and that except in preaching, which may be and is supplied, and often best supplied, out of printed books, little else is necessary for a protestant minister, than to be able to read the English language ; I mean for the exercise of his function, not to the qualification of his admission to it. But a popish parson in Ireland may do very well without any considerable classical erudition, or any proficiency in pure or mixed mathematicks, or any knowledge of civil history. Even if the catholick clergy should possess those acquisitions, as at first many of them do, they soon lose them in the painful course of professional and parochial duties: but they must have all the knowledge, and what is to them more important than the knowledge, the discipline necessary to those duties. All modes of education, conducted by those whose minds are cast in another mould, as I may say, and whose original ways of thinking are formed upon the reverse pattern, must be to them not only useless, but mischievous. Just as I should suppose the education in a popish ecclesiastical seminary would be ill fitted for a protestant clergyman. To educate a catholick priest in a protestant seminary would be much worse. The protestant educated amongst catholicks has only something to reject: what he
keeps

keeps may be useful. But a catholick parish priest learns little for his peculiar purpose and duty in a protestant college.

All this, my lord, I know very well, will pass for nothing with those who wish that the popish clergy should be illiterate, and in a situation to produce contempt and detestation. Their minds are wholly taken up with party squabbles, and I have neither leisure nor inclination to apply any part of what I have to say, to those who never think of religion, or of the commonwealth, in any other light, than as they tend to the prevalence of some faction in either. I speak on a supposition, that there is a disposition *to take the state in the condition in which it is found*, and to improve it *in that state* to the best advantage. Hitherto the plan for the government of Ireland has been, to sacrifice the civil prosperity of the nation to its religious improvement. But if people in power there are at length come to entertain other ideas, they will consider the good order, decorum, virtue, and morality of every description of men among them, as of infinitely greater importance than the struggle (for it is nothing better) to change those descriptions by means, which put to hazard objects, which, in my poor opinion, are of more importance to religion and to the state, than all the polemical matter which has been agitated among men from the beginning of the world to this hour.

On

On this idea, an education fitted *to each order and division of men, such as they are found*, will be thought an affair rather to be encouraged than discountenanced : and until institutions at home, suitable to the occasions and necessities of the people, are established, and which are armed, as they are abroad, with authority to coerce the young men to be formed in them, by a strict and severe discipline,—the means they have, at present, of a cheap and effectual education in other countries, should not continue to be prohibited by penalties and modes of inquisition, not fit to be mentioned to ears that are organized to the chaste sounds of equity and justice.

Before I had written thus far, I heard of a scheme of giving to the Castle the patronage of the presiding members of the catholick clergy. At first I could scarcely credit it : for I believe it is the first time that the presentation to other people's alms has been desired in any country. If the state provides a suitable maintenance and temporality for the governing members of the Irish Roman catholick church, and for the clergy under them, I should think the project, however improper in other respects, to be by no means unjust. But to deprive a poor people, who maintain a second set of clergy, out of the miserable remains of what is left after taxing and tything—to deprive them of the disposition of their own charities among their

own communion, would, in my opinion, be an intolerable hardship. Never were the members of one religious sect fit to appoint the pastors to another. Those who have no regard for their welfare, reputation, or internal quiet, will not appoint such as are proper. The seraglio of Constantinople is as equitable as we are, whether catholicks or protestants: and where their own sect is concerned, full as religious. But the sport which they make of the miserable dignities of the Greek church, the little factions of the haram, to which they make them subservient, the continual sale to which they expose and re-expose the same dignity, and by which they squeeze all the inferiour orders of the clergy, is (for I have had particular means of being acquainted with it) nearly equal to all the other oppressions together, exercised by mussulmen over the unhappy members of the Oriental church. It is a great deal to suppose that even the present Castle would nominate bishops for the Roman church of Ireland, with a religious regard for its welfare. Perhaps they cannot, perhaps they dare not do it.

But suppose them to be as well inclined as I know that I am, to do the catholicks all kind of justice, I declare I would not, if it were in my power, take that patronage on myself.—I know I ought not to do it. I belong to another community and it would be intolerable usurpation for me

to affect such authority, where I conferred no benefit, or even if I did confer (as in some degree the seraglio does) temporal advantages. But, allowing that the *present* Castle finds itself fit to administer the government of a church which they solemnly forswear, and forswear with very hard words and many evil epithets, and that as often as they qualify themselves for the power which is to give this very patronage, or to give any thing else that they desire ; yet they cannot ensure themselves that a man like the late Lord Chesterfield will not succeed to them. This man, while he was duping the credulity of papists with fine words in private, and commending their good behaviour during a rebellion in Great Britain, (as it well deserved to be commended and rewarded) was capable of urging penal laws against them in a speech from the throne, and of stimulating with provocatives the wearied and half-exhausted bigotry of the then parliament of Ireland. They set to work, but they were at a loss what to do ; for they had already almost gone through every contrivance which could *waste the vigour* of their country : but, after much struggle, they produced a child of their old age, the shocking and unnatural act about marriages, which tended to finish the scheme for making the people not only two distinct parties for ever, but keeping them as two distinct species in the same land. Mr. Gardiner's humanity was

shocked at it, as one of the worst parts of the truly barbarous system, if one could well settle the preference, where almost all the parts were outrages on the rights of humanity, and the laws of nature.

Suppose an atheist, playing the part of a bigot, should be in power again in that country, do you believe that he would faithfully and religiously administer the trust of appointing pastors to a church, which, wanting every other support, stands in ten-fold need of ministers who will be dear to the people committed to their charge, and who will exercise a really paternal authority amongst them? But if the superiour power was always in a disposition to dispense conscientiously, and like an upright trustee and guardian of these rights which he holds for those with whom he is at variance, has he the capacity and means of doing it? How can the lord lieutenant form the least judgment of their merits, so as to discern which of the popish priests is fit to be made a bishop? It cannot be: the idea is ridiculous.—He will hand them over to lords lieutenants of counties, justices of the peace, and other persons, who, for the purpose of vexing and turning to derision this miserable people, will pick out the worst and most obnoxious they can find amongst the clergy to set over the rest. Whoever is complained against by his brother will be considered as persecuted: whoever is censured by his

his superiour will be looked upon as oppressed : whoever is careless in his opinions, and loose in his morals, will be called a liberal man, and will be supposed to have incurred hatred, because he was not a bigot. Informers, tale-bearers, perverse and obstinate men, flatterers, who turn their back upon their flock, and court the protestant gentlemen of the country, will be the objects of preferment. And then I run no risk in foretelling, that whatever order, quiet, and morality you have in the country, will be lost. A popish clergy, who are not restrained by the most austere subordination, will become a nuisance, a real publick grievance of the heaviest kind, in any country that entertains them : and instead of the great benefit which Ireland does, and has long derived from them, if they are educated without any idea of discipline and obedience, and then put under bishops ; who do not owe their station to their good opinion, and whom they cannot respect, that nation will see disorders, of which, bad as things are, it has yet no idea. I do not say this, as thinking the leading men in Ireland would exercise this trust worse than others. Not at all. No man, no set of men living are fit to administer the affairs, or regulate the interiour economy of a church to which they are enemies.

As to government, if I might recommend a prudent caution to them,—it would be, to innovate

as little as possible, upon speculation, in establishments, from which, as they stand, they experience no material inconvenience to the repose of the country,—*quieta non movere*.—I could say a great deal more ; but I am tired ; and am afraid your lordship is tired too. I have not sat to this letter a single quarter of an hour without interruption. It has grown long, and probably contains many repetitions, from my total want of leisure to digest and consolidate my thoughts ; and as to my expressions, I could wish to be able perhaps to measure them more exactly. But my intentions are fair, and I certainly mean to offend nobody.

* * * * *

Thinking over this matter more maturely, I see no reason for altering my opinion in any part. The act, as far as it goes, is good undoubtedly. It amounts, I think, very nearly to a *toleration*, with respect to religious ceremonies ; but it puts a new bolt on civil rights, and rivets it to the old one, in such a manner, that neither, I fear, will be easily loosened. What I could have wished would be, to see the civil advantages take the lead ; the other of a religious toleration, I conceive, would follow, (in a manner) of course. From what I have observed, it is pride, arrogance, and a spirit
of

of domination, and not a bigoted spirit of religion, that has caused and kept up those oppressive statutes. I am sure I have known those who have oppressed papists in their civil rights, exceedingly indulgent to them in their religious ceremonies, and who really wished them to continue catholics, in order to furnish pretences for oppression. These persons never saw a man (by converting) escape out of their power, but with grudging and regret. I have known men, to whom I am not uncharitable in saying, (though they are dead) that they would have become papists in order to oppress protestants ; if, being protestants, it was not in their power to oppress papists. It is injustice, and not a mistaken conscience, that has been the principle of persecution, at least as far as it has fallen under my observation. However, as I began, so I end. I do not know the map of the country. Mr. Gardiner, who conducts this great and difficult work, and those who support him, are better judges of the business than I can pretend to be, who have not set my foot in Ireland these sixteen years. I have been given to understand, that I am not considered as a friend to that country : and I know that pains have been taken to lessen the credit that I might have had there.

* * * * *

I am so convinced of the weakness of interfering in any business, without the opinion of the people

in whose business I interfere, that I do not know how to acquit myself of what I have now done.— I have the honour to be, with high regard and esteem,

My Lord,

Your Lordship's most obedient,

And humble servant, &c.

EDMUND BURKE.

A LETTER
TO
SIR H. LANGRISHE, BART. M.P.
ON THE SUBJECT OF THE
ROMAN CATHOLICKS OF IRELAND,
AND
THE PROPRIETY OF ADMITTING THEM
TO
THE ELECTIVE FRANCHISE,
CONSISTENTLY WITH THE
PRINCIPLES OF THE CONSTITUTION
AS ESTABLISHED AT
THE REVOLUTION.
1792.

A
LETTER,

&c. &c.

MY DEAR SIR,

YOUR remembrance of me, with sentiments of so much kindness, has given me the most sincere satisfaction. It perfectly agrees with the friendly and hospitable reception which my son and I received from you, some time since, when, after an absence of twenty-two years, I had the happiness of embracing you, among my few surviving friends.

I really imagined that I should not again interest myself in any publick business. I had, to the best of my moderate faculties, paid my club to the society, which I was born in some way or other to serve; and I thought I had a right to put on my night-gown and slippers, and wish a cheerful evening to the good company I must leave behind. But if our resolutions of vigour and exertion are so often broken or procrastinated in the execution, I think we may be excused, if we are not very punctual in fulfilling our engagements to indolence and inactivity. I have indeed no power of action; and am almost a cripple, even with regard
to

to thinking: but you descend with force into the stagnant pool; and you cause such a fermentation, as to cure at least one impotent creature of his lameness, though it cannot enable him either to run or to wrestle.

You see by the paper* I take that I am likely to be long, with malice prepense. You have brought under my view a subject, always difficult, at present critical.——It has filled my thoughts, which I wish to lay open to you with the clearness and simplicity which your friendship demands from me. I thank you for the communication of your ideas. I should be still more pleased if they had been more your own. What you hint, I believe, to be the case; that if you had not deferred to the judgment of others, our opinions would not differ more materially at this day, than they did when we used to confer on the same subject, so many years ago. If I still persevere in my old opinions, it is no small comfort to me, that it is not with regard to doctrines properly yours that I discover my indocility.

The case, upon which your letter of the 10th of December turns, is hardly before me with precision enough, to enable me to form any very certain judgment upon it. It seems to be some plan of further indulgence proposed for the Catholics of Ireland. You observe, that your “general principles are

* The letter is written on folio sheets.

“ not changed, but that *times and circumstances* “ *are altered.*” I perfectly agree with you, that times and circumstances, considered with reference to the publick, ought very much to govern our conduct; though I am far from slighting, when applied with discretion to those circumstances, general principles, and maxims of policy. I cannot help observing, however, that you have said rather less upon the inapplicability of your own old principles to the *circumstances* that are likely to influence your conduct against these principles, than of the *general* maxims of state, which I can very readily believe not to have great weight with you personally.

In my present state of imperfect information, you will pardon the errours into which I may easily fall. The principles you lay down are, “ that the “ Roman catholicks should enjoy every thing *un-* “ *der* the state, but should not be *the state it-* “ *self.*” And you add, “ that when you exclude “ them from being *a part of the state*, you rather “ conform to the spirit of the age, than to any ab- “ stract doctrine;” but you consider the constitution as already established—that our state is protestant. “ It was declared so at the Revolution. “ It was so provided in the acts for settling the “ succession of the crown:—the king’s coronation “ oath was enjoined, in order to keep it so. The “ king, as first magistrate of the state, is obliged “ to

“ to take the oath of abjuration*, and to subscribe
 “ the declaration; and, by laws subsequent, every
 “ other magistrate and member of the state, legis-
 “ lative and executive, are bound under the same
 “ obligation.”

As to the plan to which these maxims are applied, I cannot speak, as I told you, positively about it. Because, neither from your letter, nor from any information I have been able to collect, do I find any thing settled, either on the part of the Roman catholicks themselves, or on that of any persons who may wish to conduct their affairs in parliament. But if I have leave to conjecture, something is in agitation towards admitting them, under *certain qualifications*, to have *some share* in the election of members of parliament. This I understand is the scheme of those who are entitled to come within your description of persons of consideration, property, and character; and firmly attached to the king and constitution, as by “law
 “ established, with a grateful sense of your former
 “ concessions, and a patient reliance on the benignity of parliament, for the further mitigation of
 “ the laws that still affect them.”—As to the low, thoughtless, wild and profligate, who have joined themselves with those of other professions, but of the same character; you are not to imagine, that,

* A small error of fact as to the abjuration oath; but of no importance in the argument.

for a moment, I can suppose them to be met with any thing else than the manly and enlightened energy of a firm government, supported by the united efforts of all virtuous men, if ever their proceedings should become so considerable as to demand its notice. I really think that such associations should be crushed in their very commencement.

Setting, therefore, this case out of the question, it becomes an object of very serious consideration, whether, because wicked men of *various* descriptions are engaged in seditious courses, the rational, sober, and valuable part of *one* description should not be indulged in their sober and rational expectations? You, who have looked deeply into the spirit of the popery laws, must be perfectly sensible, that a great part of the present mischief, which we abhor in common (if it at all exists) has arisen from them. Their declared object was to reduce the catholicks of Ireland to a miserable populace, without property, without estimation, without education. The professed object was to deprive the few men who, in spite of those laws, might hold or obtain any property amongst them, of all sort of influence or authority over the rest. They divided the nation into two distinct bodies, without common interest, sympathy, or connexion. One of these bodies was to possess *all* the franchises, *all* the property, *all* the education: the
other

other was to be composed of drawers of water and cutters of turf for them. Are we to be astonished, when, by the efforts of so much violence in conquest, and so much policy in regulation, continued without intermission for near an hundred years, we had reduced them to a mob; that, whenever they came to act at all, many of them would act exactly like a mob, without temper, measure, or foresight? Surely it might be just now a matter of temperate discussion, whether you ought not to apply a remedy to the real cause of the evil. If the disorder you speak of be real and considerable, you ought to raise an aristocratick interest; that is, an interest of property and education amongst them: and to strengthen, by every prudent means, the authority and influence of men of that description. It will deserve your best thoughts, to examine whether this can be done without giving such persons the means of demonstrating to the rest, that something more is to be got by their temperate conduct, than can be expected from the wild and senseless projects of those who do not belong to their body, who have no interest in their well being, and only wish to make them the dupes of their turbulent ambition.

If the absurd persons you mention find no way of providing for liberty, but by overturning this happy constitution, and introducing a frantick democracy, let us take care how we prevent better
people

people from any rational expectations of partaking in the benefits of that constitution *as it stands*. The maxims you establish cut the matter short. They have no sort of connexion with the good or the ill behaviour of the persons who seek relief, or with the proper or improper means by which they seek it. They form a perpetual bar to all pleas, and to all expectations.

You begin by asserting, that “ the Catholicks “ ought to enjoy all things *under* the state, but “ that they ought not to *be the state*.” A position which, I believe, in the latter part of it, and in the latitude there expressed, no man of common sense has ever thought proper to dispute : because the contrary implies, that the state ought to be in them *exclusively*. But before you have finished the line, you express yourself as if the other member of your proposition, namely, that “ they ought not “ to be *a part* of the state,” were necessarily included in the first—Whereas I conceive it to be as different as a part is from the whole ; that is, just as different as possible. I know, indeed, that it is common with those who talk very differently from you, that is, with heat and animosity, to confound those things, and to argue the admission of the catholicks into any, however minute and subordinate, parts of the state, as a surrender into their hands of the whole government of the kingdom. To them I have nothing at all to say.

Wishing to proceed with a deliberative spirit and temper in so very serious a question, I shall attempt to analyze, as well as I can, the principles you lay down, in order to fit them for the grasp of an understanding so little comprehensive as mine. —‘ State ’—‘ Protestant ’—‘ Revolution. ’ These are terms, which, if not well explained, may lead us into many errors. In the word *State*, I conceive there is much ambiguity. The state is sometimes used to signify *the whole commonwealth*, comprehending all its orders, with the several privileges belonging to each. Sometimes it signifies only *the higher and ruling part* of the commonwealth ; which we commonly call *the Government*. In the first sense, to be under the state, but not the state itself, *nor any part of it*, that is to be nothing at all in the commonwealth, is a situation perfectly intelligible : but to those who fill that situation, not very pleasant, when it is understood. It is a state of *civil servitude* by the very force of the definition. *Servorum non est respublica*, is a very old and a very true maxim. This servitude, which makes men *subject* to a state without being *citizens*, may be more or less tolerable from many circumstances : but these circumstances, more or less favourable, do not alter the nature of the thing. The mildness by which absolute masters exercise their dominion, leaves them masters still. We may talk a little presently of the manner in which the majority

majority of the people of Ireland (the Catholics) are affected by this situation; which at present undoubtedly is theirs, and which you are of opinion ought so to continue for ever.

In the other sense of the word *State*, by which is understood the *Supreme Government* only, I must observe this upon the question: that to exclude whole classes of men entirely from this *part* of government, cannot be considered as *absolute slavery*. It only implies a lower and degraded state of citizenship; such is (with more or less strictness) the condition of all countries in which an hereditary nobility possess the exclusive rule. This may be no bad mode of government; provided that the personal authority of individual nobles be kept in due bounds, that their cabals and factions are guarded against with a severe vigilance, and that the people (who have no share in granting their own money) are subjected to but light impositions, and are otherwise treated with attention, and with indulgence to their humours and prejudices.

The republic of Venice is one of those which strictly confines all the great functions and offices, such as are truly *state*-functions and *state*-offices, to those who, by hereditary right or admission, are noble Venetians. But there are many offices, and some of them not mean nor unprofitable, (that of chancellor is one) which are reserved for the *Cittadini*. Of these all citizens of Venice are capable.

The inhabitants of the *Terra firma*, who are mere subjects of conquest, that is, as you express it, under the state, but “not a part of it,” are not, however, subjects in so very rigorous a sense as not to be capable of numberless subordinate employments. It is indeed one of the advantages attending the narrow bottom of their aristocracy (narrow as compared with their acquired dominions, otherwise broad enough) that an exclusion from such employments cannot possibly be made amongst their subjects. There are, besides, advantages in states so constituted, by which those who are considered as of an inferior race, are indemnified for their exclusion from the government and from nobler employments. In all these countries, either by express law, or by usage more operative, the noble casts are almost universally, in their turn, excluded from commerce, manufacture, farming of land, and in general from all lucrative civil professions. The nobles have the monopoly of honour. The plebeians a monopoly of all the means of acquiring wealth. Thus some sort of a balance is formed among conditions ; a sort of compensation is furnished to those, who, in a *limited sense*, are excluded from the government of the state.

Between the extreme of a *total exclusion*, to which your maxim goes, and an *universal unmodified capacity*, to which the fanaticks pretend, there are many different degrees and stages, and a great variety

variety of temperaments, upon which prudence may give full scope to its exertions. For you know that the decisions of prudence (contrary to the system of the insane reasoners) differ from those of judicature: and that almost all the former are determined on the more or the less, the earlier or the later, and on a balance of advantage and inconvenience, of good and evil.

In all considerations which turn upon the question of vesting or continuing the state solely and exclusively in some one description of citizens, prudent legislators will consider, how far the *general form and principles of their commonwealth render it fit to be cast into an oligarchical shape, or to remain always in it.* We know that the government of Ireland (the same as the British) is not in its constitution *wholly* aristocratical; and, as it is not such in its form, so neither is it in its spirit. If it had been inveterately aristocratical, exclusions might be more patiently submitted to. The lot of one plebeian would be the lot of all; and an habitual reverence and admiration of certain families might make the people content to see government wholly in hands to whom it seemed naturally to belong. But our constitution has *a plebeian member*, which forms an essential integrant part of it. A plebeian oligarchy is a monster: and no people, not absolutely domestick or predial slaves, will long endure it. The protestants of Ireland are not *alone*

x 3

sufficiently

sufficiently the people to form a democracy ; and they are *too numerous* to answer the ends and purposes of *an aristocracy*. Admiration, that first source of obedience, can be only the claim or the imposture of a few. I hold it to be absolutely impossible for two millions of plebeians, composing certainly, a very clear and decided majority in that class, to become so far in love with six or seven hundred thousand of their fellow-citizens (to all outward appearance plebeians like themselves, and many of them tradesmen, servants, and otherwise inferiour to some of them) as to see with satisfaction, or even with patience, an exclusive power vested in them, by which *constitutionally* they become the absolute masters ; and, by the *manners* derived from their circumstances, must be capable of exercising upon them, daily and hourly, an insulting and vexatious superiority. Neither are the majority of the Irish indemnified (as in some aristocracies) for this state of humiliating vassalage (often inverting the nature of things and relations) by having the lower walks of industry wholly abandoned to them. They are rivalled, to say the least of the matter, in every laborious and lucrative course of life ; while every franchise, every honour, every trust, every place down to the very lowest and least confidential, (besides whole professions) is reserved for the master cast.

Our constitution is not made for great, general
and

and præscriptive exclusions; sooner or later it will destroy them, or they will destroy the constitution. In our constitution there has always been a difference between *a franchise* and *an office*, and between the capacity for the one and for the other. Franchises were supposed to belong to the *subject*, as a *subject*, and not as a *member of the governing part of the state*. The policy of government has considered them as things very different; for whilst parliament excluded by the test acts (and for a while these test acts were not a dead letter, as now they are in England) protestant dissenters from all civil and military employments, they *never touched their right of voting for members of parliament or sitting in either house*; a point I state, not as approving or condemning, with regard to them, the measure of exclusion from employments, but to prove that the distinction has been admitted in legislature, as, in truth, it is founded in reason.

I will not here examine, whether the principles of the British [the Irish] constitution be wise or not. I must assume that they are; and that those, who partake the franchises which make it, partake of a benefit. They who are excluded from votes (under proper qualifications inherent in the constitution that gives them) are excluded, not from the *state*, but from *the British constitution*. They cannot by any possibility, whilst they hear its praises continually rung in their ears, and are present at the

declaration which is so generally and so bravely made by those who possess the privilege—that the best blood in their veins ought to be shed, to preserve their share in it; they, the disfranchised part, cannot, I say, think themselves in an *happy* state, to be utterly excluded from all its direct and all its consequential advantages. The popular part of the constitution must be to them, by far the most odious part of it. To them it is not *an actual*, and, if possible, still less a *virtual* representation. It is indeed the direct contrary. It is power unlimited, placed in the hands of *an adverse* description, *because it is an adverse description*. And if they who compose the privileged body have not an interest, they must but too frequently have motives of pride, passion, petulance, peevish jealousy, or tyrannick suspicion, to urge them to treat the excluded people with contempt and rigour.

This is not a mere theory; though whilst men are men,^p it is a theory that cannot be false. I do not desire to revive all the particulars in my memory; I wish them to sleep for ever; but it is impossible I should wholly forget what happened in some parts of Ireland, with very few and short intermissions, from the year 1761 to the year 1766, both inclusive. In a country of miserable police, passing from the extremes of laxity to the extremes of rigour, among a neglected, and therefore disorderly populace—if any disturbance or sedition,
from

from any grievance real or imaginary, happened to arise, it was presently perverted from its true nature, often criminal enough in itself to draw upon it a severe, appropriate punishment ; it was metamorphosed into a conspiracy against the state, and prosecuted as such. Amongst the Catholicks, as being by far the most numerous and the most wretched, all sorts of offenders against the laws must commonly be found. The punishment of low people for the offences usual among low people would warrant no inference against any descriptions of religion or of politicks. Men of consideration from their age, their profession, or their character ; men of proprietary landed estates, substantial renters, opulent merchants, physicians, and titular bishops, could not easily be suspected of riot in open day, or of nocturnal assemblies for the purpose of pulling down hedges, making breaches in park walls, firing barns, maiming cattle, and outrages of a similar nature, which characterise the disorders of an oppressed or a licentious populace. But when the evidence, given on the trial for such misdemeanours, qualified them as overt acts of high treason, and when witnesses were found (such witnesses as they were) to depose to the taking of oaths of allegiance by the rioters to the king of France, to their being paid by his money, and embodied and exercised under his officers, to overturn the state for the purposes of that potentate ;
in

in that case, the rioters might (if the witness was believed) be supposed only the troops and persons more reputable, the leaders and commanders in such a rebellion. All classes in the obnoxious description, who could not be suspected in the lower crime of riot, might be involved in the odium, in the suspicion, and sometimes in the punishment, of a higher and far more criminal species of offence. These proceedings did not arise from any one of the popery laws since repealed, but from this circumstance, that when it answered the purposes of an election party, or a malevolent person of influence to forge such plots, the people had no protection. The people of that description have no hold on the gentlemen who aspire to be popular representatives. The candidates neither love, nor respect, nor fear them, individually or collectively. I do not think this evil (an evil amongst a thousand others) at this day entirely over; for I conceive I have lately seen some indication of a disposition perfectly similar to the old one; that is, a disposition to carry the imputation of crimes from persons to descriptions, and wholly to alter the character and quality of the offences themselves.

This universal exclusion seems to me a serious evil—because many collateral oppressions, besides what I have just now stated, have arisen from it. In things of this nature, it would not be either easy or proper to quote chapter and verse; but I have
great

great reason to believe, particularly since the octennial act, that several have refused at all to let their lands to Roman Catholicks ; because it would so far disable them from promoting such interests in counties as they were inclined to favour. They who consider also the state of all sorts of tradesmen, shopkeepers, and particularly publicans in towns, must soon discern the disadvantages under which those labour who have no votes. It cannot be otherwise, whilst the spirit of elections, and the tendencies of human nature continue as they are. If property be artificially separated from franchise, the franchise must in some way or other, and in some proportion, naturally attract property to it. Many are the collateral disadvantages amongst a *privileged* people, which must attend on those who have *no* privileges.

Among the rich each individual, with or without a franchise, is of importance ; the poor and the middling are no otherwise so, than as they obtain some collective capacity, and can be aggregated to some corps. If legal ways are not found, illegal will be resorted to ; and seditious clubs and confederacies, such as no man living holds in greater horror than I do, will grow and flourish in spite, I am afraid, of any thing which can be done to prevent the evil. Lawful enjoyment is the surest method to prevent unlawful gratification. Where there is property, there will be less theft ;
where

where there is marriage, there will always be less fornication.

I have said enough of the question of state, *as it affects the people merely as such*. But it is complicated with a political question relative to religion, to which it is very necessary I should say something; because the term *Protestant*, which you apply, is too general for the conclusions which one of your accurate understanding would wish to draw from it; and because a great deal of argument will depend on the use that is made of that term.

It is *not* a fundamental part of the settlement at the Revolution, that the state should be protestant without *any qualification of the term*. With a qualification it is unquestionably true; not in all its latitude. With the qualification, it was true before the Revolution. Our predecessors in legislation were not so irrational (not to say impious) as to form an operose ecclesiastical establishment, and even to render the state itself in some degree subservient to it, when their religion (if such it might be called) was nothing but a mere *negation* of some other—without any positive idea either of doctrine, discipline, worship, or morals, in the scheme which they professed themselves, and which they imposed upon others, even under penalties and incapacities—No! No! This never could have been done even by reasonable atheists. They who think religion of no importance to the state have abandoned it
to

to the conscience, or caprice of the individual; they make no provision for it whatsoever, but leave every club to make, or not, a voluntary contribution towards its support, according to their fancies. This would be consistent. The other always appeared to me to be a monster of contradiction and absurdity. It was for that reason, that, some years ago, I strenuously opposed the clergy who petitioned, to the number of about three hundred, to be freed from the subscription to the thirty-nine articles, without proposing to substitute any other in their place. There never has been a religion of the state (the few years of the parliament only excepted) but that of *the episcopal church of England*; the episcopal church of England, before the Reformation, connected with the see of Rome, since then, disconnected and protesting against some of her doctrines, and against the whole of her authority, as binding in our national church: nor did the fundamental laws of this kingdom (in Ireland it has been the same) ever know, at any period, any other church *as an object of establishment*; or in that light, any other protestant religion. Nay our protestant *toleration* itself at the Revolution, and until within a few years, required a signature of thirty-six, and a part of the thirty-seventh, out of the thirty-nine articles. So little idea had they at the Revolution of *establishing* protestantism indefinitely, that they did not indefinitely

indefinitely *tolerate* it under that name. I do not mean to praise that strictness, where nothing more than merely religious toleration is concerned. Toleration, being a part of moral and political prudence, ought to be tender and large. A tolerant government ought not to be too scrupulous in its investigations; but may bear without blame, not only very ill-grounded doctrines, but even many things that are positively vices, where they are *adulta et prævalida*. The good of the commonwealth is the rule which rides over the rest; and to this every other must completely submit.

The church of Scotland knows as little of protestantism *undefined*, as the church of England and Ireland do. She has by the articles of union secured to herself the perpetual establishment of *the Confession of Faith*, and the *Presbyterian* church government. In England, even during the troubled interregnum, it was not thought fit to establish a *negative* religion; but the parliament settled the *presbyterian*, as the church *discipline*; the *Directory* as the rule of publick *worship*; and the *Westminster catechism*, as the institute of *faith*. This is to shew, that at no time was the protestant religion, *undefined*, established here or any where else, as I believe. I am sure that when the three religions were established in Germany, they were expressly characterised and declared to be the *Evangelick*, the *Reformed*, and the *Catholick*; each of which

has

has its confession of faith and its settled discipline ; so that you always may know the best and the worst of them, to enable you to make the most of what is good, and to correct or to qualify, or to guard against whatever may seem evil or dangerous.

As to the coronation oath, to which you allude, as opposite to admitting a Roman Catholick to the use of any franchise whatsoever, I cannot think that the king would be perjured if he gave his assent to any regulation which parliament might think fit to make with regard to that affair. The king is bound by law, as clearly specified in several acts of parliament, to be in communion with the church of England. It is a part of the tenure by which he holds his crown ; and though no provision was made till the Revolution, which could be called positive and valid in law, to ascertain this great principle, I have always considered it as in fact fundamental, that the king of England should be of the christian religion, according to the national legal church for the time being. I conceive it was so before the Reformation. Since the Reformation it became doubly necessary ; because the king is the head of that church ; in some sort an ecclesiastical person ; and it would be incongruous and absurd, to have the head of the church of one faith, and the members of another. The king may *inherit* the crown as a *protestant*, but he cannot *hold it*, according to law, without being a *protestant of the Church of England*.

Before

Before we take it for granted, that the king is bound by his coronation oath not to admit any of his catholick subjects to the rights and liberties, which ought to belong to them as Englishmen, (not as religionists) or to settle the conditions or proportions of such admission by an act of parliament, I wish you to place before your eyes that oath itself, as it is settled in the act of William and Mary.

“ Will you to the utmost of your power maintain—¹ The laws of God,² the true profession of the³ “ gospel—and the protestant reformed religion as⁴ “ *it is established by law.*—And will you preserve⁵ “ unto *bishops* and clergy, and the churches committed to *their* charge, all such rights and privileges as by law do, or shall appertain to them, “ or any of them.—All this I promise to do.”

Here are the coronation engagements of the king. In them I do not find one word to preclude his majesty from consenting to any arrangement which parliament may make with regard to the civil privileges of any part of his subjects.

It may not be amiss, on account of the light which it will throw on this discussion, to look a little more narrowly into the matter of that oath—in order to discover how far it has hitherto operated, or how far in future it ought to operate,

as a bar to any proceedings of the crown and parliament in favour of those, against whom it may be supposed that the king has engaged to support the protestant church of England, in the two kingdoms, in which it is established by law. First, the king swears he will maintain to the utmost of his power, "the laws of God." I suppose it means the natural moral laws.—Secondly, he swears to maintain "the true profession of the gospel." By which I suppose is understood *affirmatively* the christian religion.—Thirdly, that he will maintain "the protestant reformed religion." This leaves me no power of supposition or conjecture ; for that protestant reformed religion is defined and described by the subsequent words, "established by law," and in this instance to define it beyond all possibility of doubt, he "swears to maintain the bishops " and clergy, and the churches committed to their " charge," in their rights present and future.

The oath as effectually prevents the king from doing any thing to the prejudice of the church in favour of sectaries, Jews, Mahometans, or plain avowed infidels ; as if he should do the same thing in favour of the catholicks. You will see, that it is the same protestant church, so described, that the king is to maintain and communicate with, according to the act of settlement of the 12th and 13th of William III. The act of the 5th of Anne, made in prospect of the union, is entitled, " An act for

VOL. VI. Y " securing

“securing the church of England as by law established.” It meant to guard the church implicitly against any other mode of protestant religion which might creep in by means of the Union. It proves beyond all doubt, that the legislature did not mean to guard the church on one part only, and to leave it defenceless and exposed upon every other. This church, in that act, is declared to be “fundamental and essential” for ever, in the constitution of the united kingdom, so far as England is concerned; and I suppose as the law stands, even since the independence, it is so in Ireland.

All this shews, that the religion which the king is bound to maintain has a positive part in it as well as a negative: and that the positive part of it (in which we are in perfect agreement with the catholics and with the church of Scotland) is infinitely the most valuable and essential. Such an agreement we had with protestant dissenters in England, of those descriptions who came under the toleration act of king William and Queen Mary; an act coeval with the Revolution; and which ought, on the principles of the gentlemen who oppose the relief to the Catholics, to have been held sacred and unalterable. Whether we agree with the present protestant dissenters in the points at the Revolution held essential and fundamental among christians, or in any other fundamental, at present it is impossible for us to know; because, at their own
very

very earnest desire, we have repealed the toleration act of William and Mary, and discharged them from the signature required by that act; and because, for the far greater part, they publickly declare against all manner of confessions of faith, even the *consensus*.

For reasons forcible enough at all times, but at this time particularly forcible with me, I dwell a little the longer upon this matter, and take the more pains, to put us both in mind that it was not settled at the Revolution, that the state should be protestant, in the latitude of the term, but in a defined and limited sense only, and that, in that sense only, the king is sworn to maintain it. To suppose that the king has sworn with his utmost power to maintain what it is wholly out of his power to discover, or which, if he could discover, he might discover to consist of things directly contradictory to each other, some of them perhaps impious, blasphemous, and seditious upon principle, would be not only a gross, but a most mischievous absurdity. If mere dissent from the church of Rome be a merit, he that dissents the most perfectly is the most meritorious. In many points we hold strongly with that church. He that dissents throughout with that church will dissent with the Church of England, and then it will be a part of his merit that he dissents with ourselves:—a whimsical species of merit for any set of men to establish. We

quarrel to extremity with those, who we know agree with us in many things, but we are to be so malicious even in the principle of our friendships, that we are to cherish in our bosom those who accord with us in nothing, because whilst they despise ourselves, they abhor, even more than we do, those with whom we have some disagreement. A man is certainly the most perfect protestant, who protests against the whole Christian Religion. Whether a person's having no Christian Religion be a title to favour, in exclusion to the largest description of christians who hold all the doctrines of Christianity, though holding along with them some errors and some superfluities, is rather more than any man, who has not become recreant and apostate from his baptism, will, I believe, choose to affirm. The countenance given from a spirit of controversy to that negative religion may, by degrees, encourage light and unthinking people to a total indifference to every thing positive in matters of doctrine; and, in the end, of practice too. If continued, it would play the game of that sort of active, proselytizing, and persecuting atheism, which is the disgrace and calamity of our time, and which we see to be as capable of subverting a government, as any mode can be of misguided zeal for better things.

Now let us fairly see what course has been taken relative to those, against whom, in part at least, the

the

the king has sworn to maintain a church, *positive in its doctrine and its discipline*. The first thing done, even when the oath was fresh in the mouth of the sovereigns, was to give a toleration to protestant dissenters, *whose doctrines they ascertained*. As to the mere civil privileges which the dissenters held as subjects before the Revolution, these were not touched at all. The laws have fully permitted, in a qualification for all offices, to such dissenters, *an occasional conformity*; a thing I believe singular, where tests are admitted. The act, called the Test Act itself, is, with regard to them, grown to be hardly any thing more than a dead letter. Whenever the dissenters cease by their conduct to give any alarm to the government, in church and state, I think it very probable that even this matter, rather disgusting than inconvenient to them, may be removed, or at least so modified as to distinguish the qualification to those offices which really *guide the state*, from those which are *merely instrumental*; or that some other and better tests may be put in their place.

So far as to England. In Ireland you have out-run us. Without waiting for an English example, you have totally, and without any modification whatsoever, repealed the test as to protestant dissenters. Not having the repealing act by me, I ought not to say positively that there is no exception in it; but if it be what I suppose it is, you

know very well, that a Jew in religion, or a Mahometan, or even a *publick, declared atheist*, and blasphemer, is perfectly qualified to be lord lieutenant, a lord justice, or even keeper of the king's conscience; and by virtue of his office (if with you it be as it is with us) administrator to a great part of the ecclesiastical patronage of the Crown.

Now let us deal a little fairly. We must admit, that protestant dissent was one of the quarters from which danger was apprehended at the Revolution, and against which a part of the coronation oath was peculiarly directed. By this unqualified repeal, you certainly did not mean to deny that it was the duty of the Crown to preserve the church against protestant dissenters; or taking this to be the true sense of the two revolution acts of king William, and of the previous and subsequent union acts of queen Anne, you did not declare by this most unqualified repeal, by which you broke down all the barriers, not invented, indeed, but carefully preserved at the Revolution; you did not then and by that proceeding declare, that you had advised the king to perjury towards God, and perfidy towards the church. No! far, very far from it! you never would have done it, if you did not think it could be done with perfect repose to the royal conscience, and perfect safety to the national established religion. You did this upon a full consideration of the circumstances of your country. Now
if

if circumstances required it, why should it be contrary to the king's oath, his parliament judging on those circumstances, to restore to his Catholick people, in such measure, and with such modifications as the publick wisdom shall think proper to add, *some part* in these franchises which they formerly had held without any limitation at all, and which, upon no sort of urgent reason at the time, they were deprived of? If such means can with any probability be shewn, from circumstances, rather to add strength to our mixed ecclesiastical and secular constitution, than to weaken it; surely they are means infinitely to be preferred to penalties, incapacities, and proscriptions continued from generation to generation. They are perfectly consistent with the other parts of the coronation oath, in which the king swears to maintain "the laws of God and the true profession of the gospel, and to govern the people according to the statutes in parliament agreed upon, and the laws and customs of the realm." In consenting to such a statute, the Crown would act at least as agreeably to the laws of God, and to the true profession of the gospel, and to the laws and customs of the kingdom, as George I. did when he passed the statute which took from the body of the people, every thing which, to that hour, and even after the monstrous acts of the 2d and 8th of Anne, (the objects of our common hatred) they still enjoyed inviolate.

It is hard to distinguish with the least degree of accuracy, what laws are fundamental, and what not. However there is a distinction between them authorized by the writers on jurisprudence, and recognised in some of our statutes. I admit the acts of king William and queen Anne to be fundamental, but they are not the only fundamental laws. The law called *Magna Charta*, by which it is provided, that "no man shall be disseised of his liberties and free customs but by the judgment of his peers, or the laws of the land," (meaning clearly for some proved crime tried and adjudged) I take to be a *fundamental law*. Now, although this *Magna Charta*, or some of the statutes establishing it, provide that that law shall be perpetual, and all statutes contrary to it shall be void, yet I cannot go so far as to deny the authority of statutes made in defiance of *Magna Charta* and all its principles. This however I will say, that it is a very venerable law, made by very wise and learned men, and that the legislature, in their attempt to perpetuate it, even against the authority of future parliaments, have shewn their judgment that it is *fundamental*, on the same grounds, and in the same manner, as the act of the fifth of Anne has considered and declared the establishment of the church of England to be fundamental. *Magna Charta*, which secured these franchises to the subjects, regarded the rights of freeholders in counties

to

to be as much a fundamental part of the constitution, as the establishment of the church of England was thought either at that time, or in the act of king William, or in the act of queen Anne.

The churchmen, who led in that transaction, certainly took care of the material interest of which they were the natural guardians. It is the first article of Magna Charta, "that the church of England shall be free," &c. &c. But at that period churchmen, and barons, and knights, took care of the franchises and free customs of the people too. Those franchises are part of the constitution itself, and inseparable from it. It would be a very strange thing if there should not only exist anomalies in our laws, a thing not easy to prevent, but, that the fundamental parts of the constitution should be perpetually and irreconcilably at variance with each other. I cannot persuade myself that the lovers of our church are not as able to find effectual ways of reconciling its safety with the franchises of the people, as the ecclesiasticks of the thirteenth century were able to do; I cannot conceive how any thing worse can be said of the protestant religion of the Church of England than this, that wherever it is judged proper to give it a legal establishment, it becomes necessary to deprive the body of the people, if they adhere to their old opinions, of "their liberties and of all "their free customs," and to reduce them to a state of *civil servitude*.

There

There is no man on earth, I believe, more willing than I am, to lay it down as a fundamental of the constitution, that the Church of England should be united and even identified with it; but, allowing this, I cannot allow that all *laws of regulation*, made from time to time, in support of that fundamental law, are, of course, equally fundamental and equally unchangeable. This would be to confound all the branches of legislation and of jurisprudence.—The *crown* and the personal safety of the monarch are *fundamentals* in our constitution: yet, I hope that no man regrets, that the rabble of statutes got together during the reign of Henry the Eighth, by which treasons are multiplied with so prolifick an energy, have been all repealed in a body; although they were all, or most of them, made in support of things truly fundamental in our constitution. So were several of the acts by which the Crown exercised its supremacy; such as the act of Elizabeth for making the *high commission courts*, and the like; as well as things made treason in the time of Charles II. None of this species of *secondary and subsidiary laws* have been held fundamental. They have yielded to circumstances: particularly where they were thought, even in their consequences, or obliquely, to affect other fundamentals. How much more, certainly, ought they to give way, when, as in our case, they affect, not here and there, in some particular point
or

or in their consequence, but universally, collectively, and directly, the fundamental franchises of a people, equal to the whole inhabitants of several respectable kingdoms and states; equal to the subjects of the kings of Sardinia or of Denmark; equal to those of the United Netherlands; and more than are to be found in all the states of Switzerland. This way of proscribing men by whole nations, as it were, from all the benefits of the constitution to which they were born, I never can believe to be politick or expedient, much less necessary for the existence of any state or church in the world. Whenever I shall be convinced, which will be late and reluctantly, that the safety of the church is utterly inconsistent with all the civil rights whatsoever of the far larger part of the inhabitants of our country, I shall be extremely sorry for it; because I shall think the church to be truly in danger. It is putting things into the position of an ugly alternative, into which I hope in God they never will be put.

I have said most of what occurs to me on the topicks you touch upon, relative to the religion of the king, and his coronation oath. I shall conclude the observations which I wished to submit to you on this point, by assuring you, that I think you the most remote that can be conceived from the metaphysicians of our times, who are the most foolish of men, and who, dealing in universals and essences,

essences, see no difference between more and less; and who of course would think that the reason of the law which obliged the king to be a communicant of the church of England would be as valid to exclude a catholick from being an exciseman, or to deprive a man who has five hundred a year, under that description, from voting on a par with a factitious protestant dissenting freeholder of forty shillings.

Recollect, my dear friend, that it was a fundamental principle in the French monarchy, whilst it stood, that the state should be Catholick; yet the edict of Nantz gave, not a full ecclesiastical, but a complete civil *establishment*, with places of which only they were capable, to the Calvinists of France; and there were very few employments indeed of which they were not capable. The world praised the cardinal de Richelieu, who took the first opportunity to strip them of their fortified places and cautionary towns. The same world held and does hold in execration (so far as that business is concerned) the memory of Louis the Fourteenth, for the total repeal of that favourable edict; though the talk of "fundamental laws, established religion, religion of the prince, safety to the state," &c. &c. was then as largely held, and with as bitter a revival of the animosities of the civil confusions during the struggles between the parties, as now they can be in Ireland.

Perhaps

Perhaps there are persons who think that the same reasons do not hold when the religious relation of the sovereign and subject is changed ; but they who have their shop full of false weights and measures, and who imagine that the adding or taking away the name of Protestant or Papist, Guelph or Ghibelline, alters all the principles of equity, policy, and prudence, leave us no common data upon which we can reason. I therefore pass by all this, which on you will make no impression, to come to what seems to be a serious consideration in your mind ; I mean the dread you express of “ reviewing, for the purpose of altering, the *“ principles of the Revolution.”* This is an interesting topick ; on which I will, as fully as your leisure and mine permits, lay before you the ideas I have formed.

First, I cannot possibly confound in my mind all the things which were done at the Revolution, with the *principles* of the Revolution. As in most great changes, many things were done from the necessities of the time, well or ill understood, from passion or from vengeance, which were not only not perfectly agreeable to its principles, but in the most direct contradiction to them. I shall not think that the *deprivation of some millions of people of all the rights of citizens, and all interest in the constitution, in and to which they were born*, was a thing conformable to the *declared principles* of the Revolution.

Revolution. This I am sure is true relatively to England (where the operation of these *anti-principles* comparatively were of little extent) and some of our late laws, in repealing acts made immediately after the Revolution, admit that some things then done were not done in the true spirit of the Revolution. But the Revolution operated differently in England and Ireland, in many, and these essential particulars. Supposing the principles to have been altogether the same in both kingdoms, by the application of those principles to very different objects, the whole spirit of the system was changed, not to say reversed. In England it was the struggle of the *great body* of the people for the establishment of their liberties, against the efforts of a very *small faction*, who would have oppressed them. In Ireland it was the establishment of the power of the smaller number, at the expense of the civil liberties and properties of the far greater part; and at the expense of the political liberties of the whole. It was, to say the truth, not a revolution, but a conquest; which is not to say a great deal in its favour. To insist on every thing done in Ireland at the Revolution, would be to insist on the severe and jealous policy of a conqueror, in the crude settlement of his new acquisition, as a *permanent* rule for its future government. This, no power, in no country that ever I heard of, has done or professed to do—except in Ireland; where it is
done,

done, and possibly by some people will be professed. Time has, by degrees, in all other places and periods, blended and coalited the conquered with the conquerors. So, after some time, and after one of the most rigid conquests that we read of in history, the Normans softened into the English. I wish you to turn your recollection to the fine speech of Cerealis to the Gauls, made to dissuade them from revolt. Speaking of the Romans,—“ *Nos*
 “ *quamvis toties laccessiti, jure victoriæ id solum*
 “ *vobis addidimus, quo pacem tueremur : nam ne-*
 “ *que quies gentium sine armis ; neque arma sine*
 “ *stipendiis ; neque stipendia sine tributis, haberi*
 “ *queant. Cætera in communi sita sunt : ipsi ple-*
 “ *rumque nostris exercitibus presidetis : ipsi has*
 “ *aliasque provincias regitas : nil seperatum clau-*
 “ *sumve*—Proinde pacem et urbem, quam *victores*
 “ *victique eodem jure obtinemus, amate, colite.*” You will consider, whether the arguments used by that Roman to these Gauls, would apply to the case in Ireland ; and whether you could use so plausible a preamble to any severe warning you might think it proper to hold out to those, who should resort to sedition, instead of supplication, to obtain any object that they may pursue with the governing power.

For a much longer period than that which had sufficed to blend the Romans with the nation to which of all others they were the most adverse,
 the

the protestants settled in Ireland, consider themselves in no other light than that of a sort of a colonial garrison, to keep the natives in subjection to the other state of Great Britain. The whole spirit of the Revolution in Ireland, was that of not the mildest conqueror. In truth, the spirit of those proceedings did not commence at that æra, nor was religion of any kind their primary object. What was done, was not in the spirit of a contest between two religious factions ; but between two adverse nations. The statutes of Kilkenny shew, that the spirit of the popery laws, and some even of their actual provisions, as applied between Englishry and Irishry, had existed in that harassed country before the words protestant and papist were heard of in the world. If we read baron Finglass, Spenser, and Sir John Davis, we cannot miss the true genius and policy of the English government there before the Revolution, as well as during the whole reign of queen Elizabeth. Sir John Davis boasts of the benefits received by the natives, by extending to them the English law, and turning the whole kingdom into shire ground. But the appearance of things alone was changed. The original scheme was never deviated from for a single hour. Unheard-of confiscations were made in the northern parts, upon grounds of plots and conspiracies, never proved upon their supposed authors. The war of chicane succeeded to the war of arms
and

and of hostile statutes ; and a regular series of operations was carried on, particularly from Chichester's time, in the ordinary courts of justice, and by special commissions and inquisitions ; first, under pretence of tenures and then of titles in the Crown, for the purpose of the total extirpation of the interest of the natives in their own soil—until this species of subtle ravage, being carried to the last excess of oppression and insolence under lord Strafford, it kindled the flames of that rebellion which broke out in 1641. By the issue of that war, by the turn which the earl of Clarendon gave to things at the Restoration, and by the total reduction of the kingdom of Ireland in 1691, the ruin of the native Irish, and, in a great measure too, of the first races of the English, was completely accomplished. The new English interest was settled with as solid a stability as any thing in human affairs can look for. All the penal laws of that unparalleled code of oppression, which were made after the last event, were manifestly the effects of national hatred and scorn towards a conquered people ; whom the victors delighted to trample upon, and were not at all afraid to provoke. They were not the effect of their fears but of their security. They who carried on this system looked to the irresistible force of Great Britain for their support in their acts of power. They were quite certain, that no complaints of the

natives would be heard on this side of the water, with any other sentiments than those of contempt and indignation. Their cries served only to augment their torture. Machines which could answer their purposes so well must be of an excellent contrivance. Indeed, in England, the double name of the complainant, Irish and Papists, (it would be hard to say, which singly was the most odious) shut up the hearts of every one against them. Whilst that temper prevailed, and it prevailed in all its force to a time within our memory, every measure was pleasing and popular, just in proportion as it tended to harass and ruin a set of people who were looked upon as enemies to God and man; and, indeed, as a race of bigoted savages who were a disgrace to human nature itself.

However, as the English in Ireland began to be domiciliated, they began also to recollect that they had a country. The *English interest*, at first by faint and almost insensible degrees, but at length openly and avowedly, became an *independent Irish interest*; full as independent as it could ever have been, if it had continued in the persons of the native Irish; and it was maintained with more skill, and more consistency, than probably it would have been in theirs. With their views, the *Anglo-Irish* changed their maxims—it was necessary to demonstrate to the whole people, that there was something,

at

at least, of a common interest, combined with the independency, which was to become the object of common exertions. The mildness of government produced the first relaxation towards the Irish ; the necessities, and, in part too, the temper that predominated at this great change, produced the second and the most important of these relaxations. English government, and Irish legislature, felt jointly the propriety of this measure. The Irish parliament and nation became independent.

The true revolution to you, that which most intrinsically and substantially resembled the English Revolution of 1688, was the Irish Revolution of 1782. The Irish parliament of 1782, bore little resemblance to that which sat in that kingdom, after the period of the first of these revolutions. It bore a much nearer resemblance to that which sat under king James. The change of the parliament in 1782 from the character of the parliament which, as a token of its indignation, had burned all the journals indiscriminately of the former parliament in the council chamber, was very visible. The address of king William's parliament, the parliament which assembled after the Revolution, amongst other causes of complaint (many of them sufficiently just) complains of the repeal by their predecessors of Poyning's law ; no absolute idol with the parliament of 1782.

Great Britain, finding the Anglo-Irish highly

animated with a spirit, which had indeed shewn itself before, though with little energy, and many interruptions, and therefore suffered a multitude of uniform precedents to be established against it, acted, in my opinion, with the greatest temperance and wisdom. She saw that the disposition of the *leading part* of the nation would not permit them to act any longer the part of a *garrison*. She saw, that true policy did not require that they ever should have appeared in that character; or if it had done so formerly, the reasons had now ceased to operate. She saw that the Irish of her race were resolved to build their constitution and their politicks upon another bottom. With those things under her view, she instantly complied with the whole of your demands, without any reservation whatsoever. She surrendered that boundless superiority, for the preservation of which, and the acquisition, she had supported the English colonies in Ireland for so long a time, and so vast an expence (according to the standard of those ages) of her blood and treasure.

When we bring before us the matter which history affords for our selection, it is not improper to examine the spirit of these several precedents, which are candidates for our choice. Might it not be as well for your statesmen, on the other side of the water, to take an example from this latter, and surely more conciliatory revolution, as a pattern
for

for your conduct towards your own fellow-citizens, than from that of 1688, when a paramount sovereignty over both you and them was more loftily claimed, and more sternly exerted, than at any former, or at any subsequent period? Great Britain, in 1782, rose above the vulgar ideas of policy, the ordinary jealousies of state, and all the sentiments of national pride and national ambition. If she had been more disposed than, I thank God for it, she was, to listen to the suggestions of passion, than to the dictates of prudence; she might have urged, the principles, the maxims, the policy, the practice of the Revolution, against the demands of the leading description in Ireland, with full as much plausibility, and full as good a grace, as any amongst them can possibly do, against the supplications of so vast and extensive a description of their own people.

A good deal too, if the spirit of domination and exclusion had prevailed in England, might have been excepted against some of the means then employed in Ireland, whilst her claims were in agitation. They were, at least, as much out of ordinary course, as those which are now objected against admitting your people to any of the benefits of an English constitution. Most certainly, neither with you, nor here, was any one ignorant of what was at that time said, written, and done. But on all sides we separated the means from the end: and

we separated the cause of the moderate and rational, from the ill-intentioned and seditious ; which on such occasions are so frequently apt to march together. At that time, on your part, you were not afraid to review what was done at the Revolution of 1688 ; and what had been continued during the subsequent, flourishing period of the British empire. The change then made was a great and fundamental alteration. In the execution, it was an operose business on both sides of the water. It required the repeal of several laws ; the modification of many, and a new course to be given to an infinite number of legislative, judicial, and official practices and usages in both kingdoms. This did not frighten any of us. You are now asked to give, in some moderate measure, to your fellow-citizens, what Great Britain gave to you, without any measure at all. Yet, notwithstanding all the difficulties at the time, and the apprehensions which some very well-meaning people entertained, through the admirable temper in which this revolution (or restoration in the nature of a revolution) was conducted in both kingdoms, it has hitherto produced no inconvenience to either ; and I trust, with the continuance of the same temper, that it never will. I think that this small, inconsiderable change (relative to an exclusive statute not made at the Revolution) for restoring the people to the benefits, from which the green
soreness

soreness of a civil war had not excluded them, will be productive of no sort of mischief whatsoever. Compare what was done in 1782, with what is wished in 1792; consider the spirit of what has been done at the several periods of reformation; and weigh maturely, whether it be exactly true that conciliatory concessions are of good policy only in discussions between nations; but that among descriptions in the same nation, they must always be irrational and dangerous. What have you suffered in your peace, your prosperity, or, in what ought ever to be dear to a nation, your glory, by the last act by which you took the property of that people under the protection of the *laws*? What reasons have you to dread the consequences of admitting the people possessing that property to some share in the protection of the *constitution*?

I do not mean to trouble you with any thing to remove the objections, I will not call them arguments, against this measure, taken from a ferocious hatred to all that numerous description of Christians. It would be to pay a poor compliment to your understanding or your heart. Neither *your* religion, nor *your* politicks, consists “in odd perverse “ antipathies.” You are not resolved to persevere in proscribing from the constitution so many millions of your countrymen, because, in contradiction to experience and to common sense, you think proper to imagine, that their principles are

z 4

subversive.

subversive of common human society. To that I shall only say, that whosoever has a temper which can be gratified by indulging himself in these good-natured fancies ought to do a great deal more. For an exclusion from the privileges of British subjects is not a cure for so terrible a distemper of the human mind, as they are pleased to suppose in their countrymen. I rather conceive a participation in those privileges to be itself a remedy for some mental disorders.

As little shall I detain you with matters that can as little obtain admission into a mind like yours ; such as the fear, or pretence of fear, that, in spite of your own power, and the trifling power of Great Britain, you may be conquered by the pope ; or that this commodious bugbear (who is of infinitely more use to those who pretend to fear, than to those who love him) will absolve His Majesty's subjects from their allegiance, and send over the cardinal of York to rule you as his viceroy ; or that, by the plenitude of his power, he will take that fierce tyrant, the king of the French, out of his jail, and arm that nation (which on all occasions treats his holiness so very politely) with his bulls and pardons, to invade poor old Ireland, to reduce you to popery and slavery, and to force the free-born, naked feet of your people into the wooden shoes of that arbitrary monarch. I do not believe that discourses of this kind are held, or
that

that any thing like them will be held, by any who walk about without a keeper. Yet, I confess, that, on occasions of this nature, I am the most afraid of the weakest reasonings; because they discover the strongest passions. These things will never be brought out in definite propositions. They would not prevent pity towards any persons; they would only cause it for those who were capable of talking in such a strain. But I know, and am sure, that such ideas as no man will distinctly produce to another, or hardly venture to bring in any plain shape to his own mind—he will utter in obscure, ill-explained doubts, jealousies, surmises, fears, and apprehensions; and, that, in such a fog, they will appear to have a good deal of size, and will make an impression; when, if they were clearly brought forth and defined, they would meet with nothing but scorn and derision.

There is another way of taking an objection to this concession, which I admit to be something more plausible, and worthy of a more attentive examination. It is, that this numerous class of people is mutinous, disorderly, prone to sedition, and easy to be wrought upon by the insidious arts of wicked and designing men; that, conscious of this, the sober, rational and wealthy part of that body, who are totally of another character, do by no means desire any participation for themselves, or for any one else of their description, in the franchises of the British constitution.

I have

I have great doubt of the exactness of any part of this observation. But let us admit that the body of the catholicks are prone to sedition (of which, as I have said, I entertain much doubt) is it possible that any fair observer, or fair reasoner, can think of confining this description to them only ; I believe it to be possible for men to be mutinous and seditious who feel no grievance : but I believe no man will assert seriously, that, when people are of a turbulent spirit, the best way to keep them in order, is to furnish them with something substantial to complain of.

You separate very properly the sober, rational, and substantial part of their description from the rest. You give, as you ought to do, weight only to the former. What I have always thought of the matter is this—that the most poor, illiterate, and uninformed creatures upon earth are judges of a *practical* oppression. It is a matter of feeling ; and as such persons generally have felt most of it, and are not of an over-lively sensibility, they are the best judges of it. But for the *real cause*, or the *appropriate remedy*, they ought never to be called into council about the one or the other. They ought to be totally shut out ; because their reason is weak ; because, when once roused, their passions are ungoverned ; because they want information ; because the smallness of the property, which individually they possess, renders them less
attentive

attentive to the consequence of the measures they adopt in affairs of moment. When I find a great cry amongst the people who speculate little, I think myself called seriously to examine into it, and to separate the real cause from the ill effects of the passion it may excite; and the bad use which artful men may make of an irritation of the popular mind. Here we must be aided by persons of a contrary character; we must not listen to the desperate or the furious; but it is therefore necessary for us to distinguish who are the *really* indigent, and the *really* intemperate. As to the persons who desire this part in the constitution, I have no reason to imagine that they are men who have nothing to lose and much to look for in publick confusion. The popular meeting, from which apprehensions have been entertained, has assembled. I have accidentally had conversation with two friends of mine, who know something of the gentleman who was put into the chair upon that occasion; one of them has had money transactions with him; the other, from curiosity, has been to see his concerns; they both tell me he is a man of some property; but you must be the best judge of this, who by your office are likely to know his transactions. Many of the others are certainly persons of fortune; and all, or most, fathers of families, men in respectable ways of life, and some of them far from contemptible, either for their information,

or

or for the abilities which they have shewn in the discussion of their interests. What such men think it for their advantage to acquire, ought not, *prima facie*, to be considered as rash or heady, or incompatible with the publick safety or welfare.

I admit, that men of the best fortunes and reputations, and of the best talents and education too, may, by accident, shew themselves furious and intemperate in their desires. This is a great misfortune when it happens; for the first presumptions are undoubtedly in their favour. We have two standards of judging in this case of the sanity and sobriety of any proceedings; of unequal certainty indeed, but neither of them to be neglected: the first is by the value of the object sought, the next is by the means through which it is pursued.

The object pursued by the Catholicks is, I understand, and have all along reasoned as if it were so, in some degree or measure to be again admitted to the franchises of the constitution. Men are considered as under some derangement of their intellects, when they see good and evil in a different light from other men; when they choose nauseous and unwholesome food; and reject such as to the rest of the world seems pleasant, and is known to be nutritive. I have always considered the British constitution, not to be a thing in itself so vitious, as that none but men of deranged understanding;
and

and turbulent tempers, could desire a share in it: on the contrary, I should think very indifferently of the understanding and temper of any body of men, who did not wish to partake of this great and acknowledged benefit. I cannot think quite so favourably either of the sense or temper of those, if any such there are, who would voluntarily persuade their brethren that the object is not fit for them, or they for the object. Whatever may be my thoughts concerning them, I am quite sure, that they who hold such language must forfeit all credit with the rest. This is infallible—If they conceive any opinion of their judgment, they cannot possibly think them their friends. There is, indeed, one supposition, which would reconcile the conduct of such gentlemen to sound reason, and to the purest affection towards their fellow-sufferers; it is, that they act under the impression of a well-grounded fear for the general interest. If they should be told, and should believe the story, that if they dare attempt to make their condition better, they will infallibly make it worse—that if they aim at obtaining liberty, they will have their slavery doubled—that their endeavour to put themselves upon any thing which approaches towards an equitable footing with their fellow-subjects will be considered as an indication of a seditious and rebellious disposition—such a view of things ought perfectly to restore the gentlemen, who so anxiously

dissuade

dissuade their countrymen from wishing a participation with the privileged part of the people, to the good opinion of their fellows. But what is to *them* a very full justification, is not quite so honourable to that power from whose maxims and temper so good a ground of rational terrour is furnished. I think arguments of this kind will never be used by the friends of a government which I greatly respect; or by any of the leaders of an opposition whom I have the honour to know, and the sense to admire. I remember Polybius tells us, that, during his captivity in Italy as a Peloponnesian hostage—he solicited old Cato to intercede with the senate for his release, and that of his countrymen: this old politician told him that he had better continue in his present condition, however irksome, than apply again to that formidable authority for their relief; that he ought to imitate the wisdom of his countryman Ulysses, who, when he was once out of the den of the Cyclops, had too much sense to venture again into the same cavern. But I conceive too high an opinion of the Irish legislature to think that they are to their fellow-citizens, what the grand oppressors of mankind were to a people whom the fortune of war had subjected to their power. For though Cato could use such a parallel with regard to his senate, I should really think it nothing short of impious, to compare an Irish parliament to a den of Cyclops. I hope the
people,

people, both here and with you, will always apply to the house of commons with becoming modesty; but at the same time with minds unembarrassed with any sort of terrour.

As to the means which the Catholicks employ to obtain this object, so worthy of sober and rational minds: I do admit that such means may be used in the pursuit of it, as may make it proper for the legislature, in this case, to defer their compliance until the demandants are brought to a proper sense of their duty. A concession in which the governing power of our country loses its dignity, is dearly bought even by him who obtains his object. All the people have a deep interest in the dignity of parliament. But as the refusal of franchises which are drawn out of the first vital stamina of the British constitution is a very serious thing, we ought to be very sure, that the manner and spirit of the application is offensive and dangerous indeed, before we ultimately reject all applications of this nature. The mode of application, I hear, is by petition. It is the manner in which all the sovereign powers in the world are approached; and I never heard (except in the case of James the Second) that any prince considered this manner of supplication to be contrary to the humility of a subject, or to the respect due to the person or authority of the sovereign. This rule, and a correspondent practice, are observed, from
the

the grand Seignior, down to the most petty prince or republick in Europe.

You have sent me several papers, some in print, some in manuscript. I think I had seen all of them, except the formula of association. I confess they appear to me to contain matter mischievous, and capable of giving alarm, if the spirit in which they are written should be found to make any considerable progress. But I am at a loss to know how to apply them, as objections to the case now before us. When I find that the *general committee*, which acts for the Roman Catholics in Dublin, prefers the association proposed in the written draft you have sent me, to a respectful application in parliament, I shall think the persons who sign such a paper to be unworthy of any privilege which may be thought fit to be granted ; and that such men ought, by *name*, to be excepted from any benefit under the constitution to which they offer this violence. But I do not find that this form of a seditious league has been signed by any person whatsoever, either on the part of the supposed projectors, or on the part of those whom it is calculated to seduce. I do not find, on inquiry, that such a thing was mentioned, or even remotely alluded to, in the general meeting of the Catholics, from which so much violence was apprehended. I have considered the other publications, signed by individuals, on the part of certain societies—I may
mistake,

mistake, for I have not the honour of knowing them personally, but I take Mr. Butler and Mr. Tandy not to be catholicks, but members of the established church. Not *one* that I recollect of these publications which you and I equally dislike, appears to be written by persons of that persuasion. Now, if, whilst a man is dutifully soliciting a favour from parliament, any person should choose, in an improper manner, to shew his inclination towards the causè depending; and if that *must* destroy the cause of the petitioner; then, not only the petitioner, but the legislature itself, is in the power of any weak friend or artful enemy, that the supplicant, or that the parliament may have. A man must be judged by his own actions only. Certain protestant dissenters make seditious propositions to the Catholicks, which it does not appear that they have yet accepted. It would be strange that the tempter should escape all punishment, and that he, who, under circumstances full of seduction and full of provocation, has resisted the temptation, should incur the penalty. You know, that, with regard to the dissenters, who are *stated* to be the chief movers in this vile scheme of altering the principles of election to a right of voting by the head, you are not able (if you ought even to wish such a thing) to deprive them of any part of the franchises and privileges which they hold on a footing of perfect equality with

VOL. VI. A a yourselves.

yourselves. *They* may do what they please with constitutional impunity; but the others cannot even listen with civility to an invitation from them to an ill-judged scheme of liberty, without forfeiting, for ever, all hopes of any of those liberties which we admit to be sober and rational.

It is known, I believe, that the greater, as well as the sounder part of our excluded countrymen have not adopted the wild ideas, and wilder engagements, which have been held out to them; but have rather chosen to hope small and safe concessions from the legal power, than boundless objects from trouble and confusion. This mode of action seems to me to mark men of sobriety, and to distinguish them from those who are intemperate, from circumstance or from nature. But why do they not instantly disclaim and disavow those who make such advances to them? In this too, in my opinion, they shew themselves no less sober and circumspect. In the present moment, nothing short of insanity could induce them to take such a step. Pray consider the circumstances. Disclaim, says somebody, all union with the dissenters;—right—But, when this your injunction is obeyed, shall I obtain the object which I solicit from *you*?—Oh, no, nothing at all like it!—But, in punishing us by an exclusion from the constitution through the great gate, for having been invited to enter into it by a postern, will you punish by deprivation of
their

their privileges, or mulct in any other way, those who have tempted us?—Far from it—we mean to preserve all *their* liberties and immunities, as *our* life-blood. We mean to cultivate *them*, as brethren whom we love and respect—with *you* we have no fellowship. We can bear with patience their enmity to ourselves; but their friendship with you we will not endure. But mark it well! All our quarrels with *them* are always to be revenged upon you. Formerly, it is notorious, that we should have resented with the highest indignation, your presuming to shew any ill-will to them. You must not suffer them, now, to shew any goodwill to you. Know—and take it once for all—that it is and ever has been, and ever will be, a fundamental maxim in our politicks, that you are not to have any part, or shadow, or name of interest whatever in our state. That we look upon you, as under an irreversible outlawry from our constitution—as perpetual and unalliable aliens.

Such, my dear Sir, is the plain nature of the argument drawn from the revolution maxims, enforced by a supposed disposition in the Catholics to unite with the dissenters. Such it is; though it were clothed in never such bland and civil forms, and wrapped up, as a poet says, in a thousand “artful folds of sacred lawn.” For my own part, I do not know in what manner to shape such arguments, so as to obtain admission for them into a

rational understanding. Every thing of this kind is to be reduced, at last, to threats of power.—I cannot say *væ victis*, and then throw the sword into the scale. I have no sword ; and if I had, in this case most certainly I would not use it as a make-weight in political reasoning.

Observe, on these principles, the difference between the procedure of the parliament and the dissenters, towards the people in question. One employs courtship, the other force. The dissenters offer bribes, the parliament nothing but the *front negatif* of a stern and forbidding authority. A man may be very wrong in his ideas of what is good for him. But no man affronts me, nor can therefore justify my affronting him, by offering to make me as happy as himself, according to his own ideas of happiness. This the dissenters do to the Catholics. You are on the different extremes. The dissenters offer, with regard to constitutional rights and civil advantages of all sorts, *every thing*—you refuse *every thing*. With them, there is boundless, though not very assured hope ; with you, a very sure and very unqualified despair. The terms of alliance, from the dissenters, offer a representation of the commons, chosen out of the people by the head. This is absurdly and dangerously large, in my opinion ; and that scheme of election is known to have been, at all times, perfectly odious to me. But I cannot think it right of course to punish
the

the Irish Roman Catholics by an universal exclusion, because others, whom you would not punish at all, propose an universal admission. I cannot dissemble to myself, that, in this very kingdom, many persons who are not in the situation of the Irish Catholics, but who, on the contrary, enjoy the full benefit of the constitution as it stands, and some of whom, from the effect of their fortunes, enjoy it in a large measure, had some years ago associated to procure great and undefined changes (they considered them as reforms) in the popular part of the constitution. Our friend, the late Mr. Flood (no slight man) proposed in his place, and in my hearing, a representation not much less extensive than this; for England; in which every house was to be inhabited by a voter—in addition to all the actual votes by other titles (some of the corporate) which we know do not require a house, or a shed. Can I forget that a person of the very highest rank, of very large fortune, and of the first class of ability, brought a bill into the House of Lords, in the head-quarters of aristocracy, containing identically the same project, for the supposed adoption of which by a club or two, it is thought right to extinguish all hopes in the Roman Catholics of Ireland? I cannot say it was very eagerly embraced or very warmly pursued. But the Lords neither did disavow the bill, nor treat it with any disregard, nor express any sort of disapprobation

of its nobler author, who has never lost, with king or people, the least degree of the respect and consideration which so justly belongs to him.

I am not at all enamoured, as I have told you, with this plan of representation ; as little do I relish any bandings or associations for procuring it. But if the question was to be put to you and me—*universal* popular representation, or *none at all for us and ours*—we should find ourselves in a very awkward position. I do not like this kind of dilemmas, especially when they are practical.

Then, since our oldest fundamental laws follow, or rather couple, freehold with franchise ; since no principle of the Revolution shakes these liberties ; since the oldest of one of the best monuments of the constitution demands for the Irish the privilege which they supplicate ; since the principles of the Revolution coincide with the declarations of the Great Charter ; since the practice of the Revolution, in this point, did not contradict its principles ; since, from that event, twenty-five years had elapsed, before a domineering party, on a party principle, had ventured to disfranchise, without any proof whatsoever of abuse, the greater part of the community ; since the king's coronation oath does not stand in his way to the performance of his duty to all his subjects ; since you have given to all other dissenters these privileges without limit, which are hitherto withheld, without any
limitation

limitation whatsoever, from the Catholicks ; since no nation in the world has ever been known to exclude so great a body of men (not born slaves) from the civil state, and all the benefits of its constitution ; the whole question comes before parliament, as a matter for its prudence. I do not put the thing on a question of right. That discretion, which, in judicature, is well said by Lord Coke to be a crooked cord, in legislature is a golden rule. Supplicants ought not to appear too much in the character of litigants. If the subject thinks so highly and reverently of the sovereign authority, as not to claim any thing of right, so that it may seem to be independent of the power and free choice of its government ; and if the sovereign, on his part, considers the advantages of the subjects as their right, and all their reasonable wishes as so many claims ; in the fortunate conjunction of these mutual dispositions are laid the foundations of a happy and prosperous commonwealth. For my own part, desiring of all things that the authority of the legislature under which I was born, and which I cherish, not only with a dutiful awe, but with a partial and cordial affection, to be maintained in the utmost possible respect, I never will suffer myself to suppose, that, at bottom, their discretion will be found to be at variance with their justice.

The whole being at discretion, I beg leave just to suggest some matters for your consideration—

Whether the government in church or state is likely to be more secure by continuing causes of grounded discontent, to a very great number (say two millions) of the subjects? or, Whether the constitution, combined and balanced as it is, will be rendered more solid, by depriving so large a part of the people of all concern, or interest, or share, in its representation, actual or *virtual*? I here mean to lay an emphasis on the word *virtual*. Virtual representation is that in which there is a communion of interests, and a sympathy in feelings and desires between those who act in the name of any description of people, and the people in whose name they act, though the trustees are not actually chosen by them. This is virtual representation. Such a representation I think to be, in many cases, even better than the actual. It possesses most of its advantages, and is free from many of its inconveniences; it corrects the irregularities in the literal representation, when the shifting current of human affairs, or the acting of publick interests in different ways, carry it obliquely from its first line of direction. The people may err in their choice; but common interest and common sentiment are rarely mistaken. But this sort of virtual representation cannot have a long or sure existence, if it has not a substratum in the actual. The member must have some relation to the constituent. As things stand, the Catholick, as a Catholick,

Catholick, and belonging to a description, has no *virtual* relation to the representative ; but the *contrary*. There is a relation in mutual obligation. Gratitude may not always have a very lasting power ; but the frequent recurrence of an application for favours will revive and refresh it, and will necessarily produce some degree of mutual attention. It will produce, at least, acquaintance. The several descriptions of people will not be kept so much apart as they now are, as if they were not only separate nations, but separate species. The stigma and reproach, the hideous mask will be taken off, and men will see each other as they are. Sure I am, that there have been thousands in Ireland, who have never conversed with a Roman Catholick in their whole lives, unless they happened to talk to their gardener's workmen, or to ask their way, when they had lost it, in their sports ; or, at best, who had known them only as footmen, or other domesticks, of the second and third order : and so averse were they, some time ago, to have them near their persons, that they would not employ even those who could never find their way beyond the stable. I well remember a great, and in many respects a good man, who advertised for a blacksmith ; but, at the same time, added, he must be a protestant. It is impossible that such a state of things, though natural goodness in many persons will undoubtedly make exceptions, must
not

not produce alienation on the one side, and pride and insolence on the other.

Reduced to a question of discretion, and that discretion exercised solely upon what will appear best for the conservation of the state on its present basis, I should recommend it to your serious thoughts, whether the narrowing of the foundation is always the best way to secure the building? The body of disfranchised men will not be perfectly satisfied to remain always in that state. If they are not satisfied, you have two millions of subjects in your bosom, full of uneasiness; not that they cannot overturn the act of settlement, and put themselves and you under an arbitrary master; or, that they are not permitted to spawn a hydra of wild republicks, on principles of a pretended natural equality in man; but, because you will not suffer them to enjoy the ancient, fundamental, tried advantages of a British constitution: that you will not permit them to profit of the protection of a common father, or the freedom of common citizens: and that the only reason which can be assigned for this disfranchisement has a tendency more deeply to ulcerate their minds, than the act of exclusion itself. What the consequence of such feelings must be, it is for you to look to. To warn, is not to menace.

I am far from asserting, that men will not excite disturbances without just cause. I know that
such

such an assertion is not true. But, neither is it true that disturbances have never just complaints for their origin. I am sure that it is hardly prudent to furnish them with such causes of complaint, as every man who thinks the British constitution a benefit, may think, at least colourable and plausible.

Several are in dread of the manœuvres of certain persons among the dissenters, who turn this ill humour to their own ill purposes. You know, better than I can, how much these proceedings of certain among the dissenters are to be feared. You are to weigh, with the temper which is natural to you, whether it may be for the safety of our establishment, that the Catholics should be ultimately persuaded that they have no hope to enter into the constitution, but through the dissenters.

Think, whether this be the way to prevent, or dissolve factious combinations against the church, or the state. Reflect seriously on the possible consequences of keeping, in the heart of your country, a bank of discontent, every hour accumulating, upon which every description of seditious men may draw at pleasure. They, whose principles of faction will dispose them to the establishment of an arbitrary monarchy, will find a nation of men who have no sort of interest in freedom; but who will have an interest in that equality of justice or favour, with which a wise despot must view all his subjects

subjects who do not attack the foundations of his power. Love of liberty itself may, in such men, become the means of establishing an arbitrary domination. On the other hand, they who wish for a democrattick republick, will find a set of men who have no choice between civil servitude, and the entire ruin of a mixed constitution.

Suppose the people of Ireland divided into three parts; of these (I speak within compass) two are Catholick. Of the remaining third, one half is composed of dissenters. There is no natural union between those descriptions. It may be produced. If the two parts Catholick be driven into a close confederacy with half the third part of protestants, with a view to a change in the constitution in church or state, or both; and you rest the whole of their security on a handful of gentlemen, clergy, and their dependents; compute the strength *you have in Ireland*, to oppose to grounded discontent; to capricious innovation; to blind popular fury, and to ambitious turbulent intrigue.

You mention that the minds of some gentlemen are a good deal heated: and that it is often said, that, rather than submit to such persons having a share in their franchises, they would throw up their independence, and precipitate an union with Great Britain. I have heard a discussion concerning such an union amongst all sorts of men ever since I remember any thing. For my own part,
I have

I have never been able to bring my mind to any thing clear and decisive upon the subject. There cannot be a more arduous question. As far as I can form an opinion, it would not be for the mutual advantage of the two kingdoms. Persons, however, more able than I am, think otherwise. But, whatever the merits of this union may be, to make it a *menace*, it must be shewn to be an *evil*; and an evil more particularly to those who are threatened with it, than to those who hold it out as a terrour. I really do not see how this threat of an union can operate, or that the Catholicks are more likely to be losers by that measure than the churchmen.

The humours of the people, and of politicians too, are so variable in themselves, and are so much under the occasional influence of some leading men, that it is impossible to know what turn the publick mind here would take on such an event. There is but one thing certain concerning it. Great divisions and vehement passions would precede this union, both on the measure itself and on its terms; and particularly, this very question of a share in the representation for the Catholicks, from whence the project of an union originated, would form a principal part in the discussion; and in the temper in which some gentlemen seem inclined to throw themselves, by a sort of high, indignant passion, into the scheme, those points would not be deliberated with all possible calmness.

From

From my best observation, I should greatly doubt, whether, in the end, these gentlemen would obtain their object, so as to make the exclusion of two millions of their countrymen a fundamental article in the union. The demand would be of a nature quite unprecedented. You might obtain the union : and yet a gentleman, who, under the new union establishment, would aspire to the honour of representing his county, might possibly be as much obliged, as he may fear to be, under the old separate establishment, to the unsupportable mortification of asking his neighbours, who have a different opinion concerning the elements in the sacrament, for their votes.

I believe, nay, I am sure, that the people of Great Britain, with or without an union, might be depended upon, in cases of any real danger, to aid the government of Ireland, with the same cordiality as they would support their own, against any wicked attempts to shake the security of the happy constitution in church and state. But before Great Britain engages in any quarrel, the *cause of the dispute* would certainly be a part of her consideration. If confusions should arise in that kingdom, from too steady an attachment to a proscriptive, monopolizing system, and from the resolution of regarding the franchise, and, in it the security of the subject, as belonging rather to religious opinions than to civil qualification and civil conduct,

I doubt

I doubt whether you might quite certainly reckon on obtaining an aid of force from hence, for the support of that system. We might extend your distractions to this country, by taking part in them. England will be indisposed, I suspect, to send an army for the conquest of Ireland. What was done in 1782 is a decisive proof of her sentiments of justice and moderation. She will not be fond of making another American war in Ireland. The principles of such a war would but too much resemble the former one. The well-disposed and the ill-disposed in England, would (for different reasons perhaps) be equally averse to such an enterprise. The confiscations, the publick auctions, the private grants, the plantations, the transplantations, which formerly animated so many adventurers, even among sober citizens, to such Irish expeditions, and which possibly might have animated some of them to the American, can have no existence in the case that we suppose.

Let us form a supposition (no foolish or ungrounded supposition) that in an age when men are infinitely more disposed to heat themselves with political than religious controversies, the former should entirely prevail, as we see that in some places they have prevailed, over the latter ; and that the Catholicks of Ireland, from the courtship paid them on the one hand, and the high tone of refusal on the other, should, in order to enter into
all

all the rights of subjects, all become protestant dissenters ; and as the other do, take all your oaths. They would all obtain their civil objects ; and the change, for any thing I know to the contrary, (in the dark as I am about the protestant dissenting tenets) might be of use to the health of their souls. But, what security our constitution, in church or state, could derive from that event, I cannot possibly discern. Depend upon it, it is as true as nature is true, that if you force them out of the religion of habit, education, or opinion, it is not to yours they will ever go. Shaken in their minds, they will go to that where the dogmas are fewest ; where they are the most uncertain ; where they lead them the least to a consideration of what they have abandoned. They will go to that uniformly democrattick system, to whose first movements they owed their emancipation. I recommend you seriously to turn this in your mind. Believe that it requires your best and maturest thoughts. Take what course you please—union or no union ; whether the people remain Catholicks or become protestant dissenters, sure it is, that the present state of monopoly *cannot* continue.

If England were animated, as I think she is not, with her former spirit of domination, and with the strong theological hatred which she once cherished for that description of her fellow-christians and fellow-subjects ; I am yet convinced, that after
the

the fullest success in a ruinous struggle, you would be obliged to abandon that monopoly. We were obliged to do this, even when every thing promised success in the American business. If you should make this experiment at last, under the pressure of any necessity, you never can do it well. But if, instead of falling into a passion, the leading gentlemen of the country themselves should undertake the business cheerfully, and with hearty affection towards it, great advantages would follow. What is forced, cannot be modified: but here you may measure your concessions.

It is a consideration of great moment, that you make the desired admission without altering the system of your representation in the smallest degree, or in any part. You may leave that deliberation of a parliamentary change or reform, if ever you should think fit to engage in it, uncomplicated and unembarrassed with the other question. Whereas, if they are mixed and confounded, as some people attempt to mix and confound them, no one can answer for the effects on the constitution itself.

There is another advantage in taking up this business, singly and by an arrangement for the single object. It is that you may proceed by *degrees*. We must all obey the great law of change. It is the most powerful law of nature, and the means perhaps of its conservation. All we can do,

and that human wisdom can do, is to provide that the change shall proceed by insensible degrees. This has all the benefits which may be in change, without any of the inconveniences of mutation. Every thing is provided for as it arrives. This mode will, on the one hand, prevent the *unfixing old interests at once*: a thing which is apt to breed a black and sullen discontent in those who are at once dispossessed of all their influence and consideration. This gradual course, on the other side, will prevent men, long under depression, from being intoxicated with a large draught of new power, which they always abuse with a licentious insolence. But wishing, as I do, the change to be gradual and cautious, I would, in my first steps, lean rather to the side of enlargement than restriction.

It is one excellence of our constitution, that all our rights of provincial election regard rather property than person. It is another, that the rights which approach more nearly to the personal are most of them corporate, and suppose a restrained and strict education of seven years in some useful occupation. In both cases the practice may have slid from the principle. The standard of qualification in both cases may be so low, or not so judiciously chosen, as in some degree to frustrate the end. But all this is for your prudence in the case before you. You may raise, a step or two, the qualification of the Catholick voters. But if you were,
to-morrow,

to-morrow, to put the Catholick freeholder on the footing of the most favoured forty-shilling protestant dissenter, you know that such is the actual state of Ireland, this would not make a sensible alteration in almost any *one* election in the kingdom. The effect in their favour, even defensively, would be infinitely slow. But it would be healing; it would be satisfactory and protecting. The stigma would be removed. By admitting settled, permanent substance in lieu of the numbers, you would avoid the great danger of our time, that of setting up number against property. The numbers ought never to be neglected; because (besides what is due to them as men) collectively, though not individually they have great property: they ought to have therefore protection: they ought to have security: they ought to have even consideration: but they ought not to predominate.

My dear Sir, I have nearly done; I meant to write you a long letter; I have written a long dissertation. I might have done it earlier and better. I might have been more forcible and more clear, if I had not been interrupted as I have been; and this obliges me not to write to you in my own hand. Though my hand but signs it, my heart goes with what I have written. Since I could think at all, those have been my thoughts. You know that thirty-two years ago they were as fully matured in my mind as they are now. A letter of

mine to lord Kenmare, though not by my desire, and full of lesser mistakes, has been printed in Dublin. It was written ten or twelve years ago, at the time when I began the employment, which I have not yet finished, in favour of another distressed people, injured by those who have vanquished them, or stolen a dominion over them. It contained my sentiments then; you will see how far they accord with my sentiments now. Time has more and more confirmed me in them all. The present circumstances fix them deeper in my mind.

I voted last session, if a particular vote could be distinguished, in unanimity, for an establishment of the church of England *conjointly* with the establishment which was made some years before by act of parliament, of the Roman Catholick, in the French conquered country of Canada. At the time of making this English ecclesiastical establishment, we did not think it necessary for its safety, to destroy the former Gallican church settlement. In our first act we settled a government altogether monarchical, or nearly so. In that system, the Canadian Catholicks were far from being deprived of the advantages or distinctions, of any kind, which they enjoyed under their former monarchy. It is true, that some people, and amongst them one eminent divine, predicted at that time, that by this step we should lose our dominions in America.

He

He foretold that the pope would send his indulgences hither; that the Canadians would fall in with France; would declare independence, and draw or force our colonies into the same design. The independence happened according to his prediction; but in directly the reverse order. All our English protestant countries revolted. They joined themselves to France: and it so happened that popish Canada was the only place which preserved its fidelity; the only place in which France got no footing; the only peopled colony which now remains to Great Britain. Vain are all the prognosticks taken from ideas and passions, which survive the state of things which gave rise to them. When last year we gave a popular representation to the same Canada, by the choice of the landholders, and an aristocratick representation, at the choice of the Crown, neither was the choice of the Crown, nor the election of the landholders, limited by a consideration of religion. We had no dread for the protestant church, which we settled there, because we permitted the French Catholicks, in the utmost latitude of the description, to be free subjects. They are good subjects, I have no doubt; but I will not allow that any French Canadian Catholicks are better men or better citizens than the Irish of the same communion. Passing from the extremity of the west, to the extremity almost of the east; I have been many years (now entering into the

the

the twelfth) employed in supporting the rights, privileges, laws and immunities, of a very remote people. I have not as yet been able to finish my task. I have struggled through much discouragement and much opposition, much obloquy, much calumny, for a people with whom I have no tie, but the common bond of mankind. In this I have not been left alone. We did not fly from our undertaking, because the people are Mahometans or pagans, and that a great majority of the Christians amongst them are papists. Some gentlemen in Ireland, I dare say, have good reasons for what they may do, which do not occur to me. I do not presume to condemn them: but thinking and acting as I have done, towards these remote nations, I should not know how to shew my face, here or in Ireland, if I should say that all the pagans, all the musselmen, and even all the papists (since they must form the highest stage in the climax of evil) are worthy of a liberal and honourable condition, except those of one of the descriptions, which forms the majority of the inhabitants of the country in which you and I were born. If such are the Catholics of Ireland, — ill-natured and unjust people, from our own data, may be inclined not to think better of the protestants of a soil, which is supposed to infuse into its sects a kind of venom unknown in other places.

You hated the old system as early as I did. Your
first

first juvenile lance was broken against that giant. I think you were even the first who attacked the grim phantom. You have an exceedingly good understanding, very good humour, and the best heart in the world. The dictates of that temper and that heart, as well as the policy pointed out by that understanding, led you to abhor the old code. You abhorred it, as I did, for its vicious perfection. For I must do it justice : it was a complete system, full of coherence and consistency ; well digested and well composed in all its parts. It was a machine of wise and elaborate contrivance ; and as well fitted for the oppression, impoverishment, and degradation of a people, and the debasement, in them, of human nature itself, as ever proceeded from the perverted ingenuity of man. It is a thing humiliating enough, that we are doubtful of the effect of the medicines we compound. We are sure of our poisons. My opinion ever was (in which I heartily agree with those that admired the old code) that it was so constructed, that if there was once a breach in any essential part of it ; the ruin of the whole, or nearly of the whole, was at some time or other, a certainty. For that reason I honour, and shall for ever honour and love you, and those who first caused it to stagger, crack, and gape.—Others may finish ; the beginners have the glory ; and, take what part you please at this hour, (I think you will take the best) your first
services

services will never be forgotten by a grateful country. Adieu! Present my best regards to those I know, and as many as I know in our country, I honour. There never was so much ability, nor, I believe, virtue, in it. They have a task worthy of both. I doubt not they will perform it, for the stability of the church and state, and for the union and the separation of the people: for the union of the honest and peaceable of all sects; for their separation from all that is ill-intentioned and seditious in any of them.

Beaconsfield, January 3, 1792.

THE END OF THE SIXTH VOLUME.



RETURN
TO

University of California
SOUTHERN REGIONAL LIBRARY FACILITY
405 Hilgard Avenue, Los Angeles, CA 90024-1388
Return this material to the library
from which it was borrowed.

--	--

UCLA-College Library

PR 3334 B4 1826 v.6



L 005 666 675 3



A 001 161 464 1



U